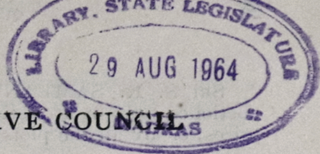


THE MADRAS LEGISLATIVE COUNCIL

Wednesday, the 22nd April 1964.

The House met in the Council Chamber, Fort St. George, at five of the clock, the Deputy Chairman (SRI V. K. PALANISWAMY GOUNDER) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

State Housing Board

* 177 *Q.*—SRI S. K. SAMBANDHAN : Will the Hon. the Minister for Industries be pleased to state—

(*a*) the procedure, if any adopted in regard to the allotment of houses under the various housing schemes by the State Housing Board; and

(*b*) whether it is a fact that sites are auctioned by them and, if so, the reasons therefor?

THE HON. SRI R. VENKATARAMAN : (*a*) The Government have laid down certain criteria and conditions for allotment of houses/flats constructed by the State Housing Board and its Units under the various Housing Schemes, and the allotment is done by an Allotment Committee of five members of the State Housing Board, subject to the conditions, etc., laid down by Government.

(*b*) The State Housing Board sells certain plots located at strategic and attractive places, and generally abutting main roads, by public auction. The profit gained through such public auction will be utilised for the purpose of reducing the price of the plots to be allotted to low income group persons, as permitted in the Union Government's Scheme.

SRI S. K. SAMBANDHAN : Will the Hon. Minister tell us whether by merely auctioning the sites, as the Hon. Minister told us, the price of the plots would be reduced, which is the intention of the Government?

THE HON. SRI R. VENKATARAMAN : Yes, Sir. The intention of the Government is that the price should be reduced in respect of plots sold to the low income group people. There are certain areas which business people would be willing to buy even at higher prices. Therefore, higher prices are charged for the plots located in these strategic areas and the amount so gained is distributed to slum dwellers and to low income group dwellers.

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SRI S. K. SAMBANDHAN : Is it a fact that the sites are auctioned only in attractive places for people who can pay higher prices, or are all the plots sold in auction in all the places?

THE HON. SRI R. VENKATARAMAN : Sir, only about 15 per cent of the plots could be auctioned and even they should be on the main roads, particularly roads of 80 or 100 feet width and junctions of roads, etc.

SRI G. KRISHNAMOOTHRY : Have the Government found by experience that they are able to reduce the price of plots sold to the low income group people and, if so, what is the percentage of reduction secured by them?

THE HON. SRI R. VENKATARAMAN : Sir, the Housing Board Schemes are on no profit-no loss basis. The amount which we get from the auction is taken into the general pool and then it is distributed to other parties such as the middle income group people, the low income group people, and the slum dwellers. Therefore, the price of these plots gets reduced.

DR. H. V. HANDE : What are the steps that the Government propose to take to prevent people from indiscriminately applying for these plots in the name of certain existing and non-existing brothers-in-law and sisters-in-law and subsequently getting them transferred in their own name, thus making it a sourse of income? What are the measures that the Government propose to take to prevent such malpractices?

THE HON. SRI R. VENKATARAMAN : Sir, we have definite rules. We have said that a person applying for a site should not have a site or house in his name or in the name of his wife or in the name of his children. I cannot say that some abuse does not take place because Government officers do not have X-ray eyes. They have only the same eyes as other people have. Whatever information is furnished in the forms filled up by them and whatever further information we get—whenever a plot is allotted, somebody else complains about it and we get further information from such complaints—from these, we see that persons who are already owning plots do not get it.

திரு. ஆர். வெங்கடாசலம் : இந்த மாநில வீட்டு வசதி போர்டின் விதியின்படி ஒதுக்கப்பட்ட நிலமுள்ளவர்களில் ஏற்கனவே பலர் வீடு உள்ளவர்கள் பெற்றுள்ளார்கள் என்று புகார் வந்திருக்கிறதா? அப்படி உள்ளவர்கள் எத்தனை பேர் அந்த வீடுகளைப் பெற்றிருக்கிறார்கள்?

கனம் திரு. ஆர். வெங்கட்டராமன் : அது போன்ற புகார் இருந்து அதை எழுதினால் ஒரிஜனல் அலாட்மெண்டை கான்ஸல் செய்து விடுவார்கள். அது மாதிரி பல கான்சல் செய்திருக்கிறார்கள். தனியாகக் கேள்வி போட்டால் அதுபற்றிய புள்ளி விவரம் சேகரித்து எத்தனை அதுமாதிரி நடந்திருக்கிறது என்று சொல்ல முடியும்.

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DR. H. V. HANDE : Apart from wives and children, I find a number of other relations, sons-in-law, sisters-in-law, and brothers-in-law and all sorts of relations get these plots and later on they transfer them to some other person. What measures do the Government propose to take to prevent this type of malpractice? That is my question, Sir.

THE HON. SRI R. VENKATARAMAN : Sir, I do not think it is a malpractice if a son-in-law or a brother-in-law who has no House but is eligible for a plot under the other rules gets it. Because his wife is related to another person, or he is married to somebody else's sister, he should not be deprived of purchasing a plot. The rule in all cases is to see whether the person has a house or land or site of his own. If he has, he is not eligible. If he does not have, then he becomes eligible.

DR. H. V. HANDE : Is it not necessary according to the rules that the solvency of the person should be gone into? If a person is fully solvent and is capable of buying the property, then do the Government think it is proper? I would like to know him the plot. If it is sold to a person who is not at all solvent, then do the Government think it is proper? I would like to know whether proper investigations are made into the financial standing of the person before the plot is allotted to him?

THE HON. SRI R. VENKATARAMAN : Sir, that is being done. We look into the capacity of the individual to pay. Sometimes people who do not have the capacity to buy the property apply for middle income group houses and then it shows that they want to profiteer out of this. We go into all these very carefully. There is a committee of five members who scrutinize the applications. But we can act only on the basis of the information furnished by the applicants and the members of the Committee.

Credit purchase of handloom fabrics

* 178 *Q.*—SRI G. KRISHNAMOORTHY : Will the Hon. the Minister for Industries be pleased to state—

(*a*) whether any facility for credit purchase of handloom fabrics from co-operative institutions is available to teachers in aided schools; and

(*b*) if not, the reasons therefor?

THE HON. SRI R. VENKATARAMAN : (*a*) No.

(*b*) Credit sales were allowed to all Non-Gazetted Government Servants and employees of local bodies. But it was found that in cases of employees of Local Bodies, there were heavy arrears to be collected and several cases of impersonation. The concession granted to employees of local Bodies was, therefore, withdrawn. It is not possible to extend it to teachers of aided schools.

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SRI G. KRISHNAMOORTHY : Sir, now that the Government are to pay the teachers straight from their own funds cent per cent, may I know what difficulty there is in considering the proposal to extend the grant of this concession to the aided schools also?

THE HON. SRI R. VENKATARAMAN : In the light of the changed circumstances, the matter may be again represented and Government will examine it.

SRI S. K. SAMBANDHAN : Will the Hon. Minister tell us whether the co-operative institutions have represented to the Government that there are huge arrears due from the non-gazetted officers?

THE HON. SRI R. VENKATARAMAN : Yes, Sir. We have received a number of representations saying that the arrears are mounting, and they represented that this concession may be stopped. But this being a great facility, we hope that the people who purchase cloth on instalment basis will realise the advantages and then pay regularly.

திரு. எம். சங்கரலிங்கம்பிள்ளை : கன்னியாகுமரி மாவட்ட தனியார் பள்ளி ஆசிரியர்கள் அரசாங்கத்தால் நேரடியாக சம்பளம் கொடுக்கப்படுகிறார்கள். அவர்களுக்கு இந்தச் சலுகை நீடிக்கும் படி செய்ய நடவடிக்கை எடுக்கப்பட்டிருக்கிறதா ?

கனம் திரு. ஆர். வெங்கட்டராமன் : இப்போது நடவடிக்கை எடுக்கப்படவில்லை. கனம் அங்கத்தினர் இந்த விதமான சலுகை அவர்களுக்குக் கொடுக்க வேண்டுமென்று எழுதினால், சர்க்கார் இலாகா அதைப் பரிசீலனை செய்யும்.

SRI S. K. SAMBANDHAN : Will the Hon. Minister tell us whether the Government would give any guarantee to the co-operative institutions in respect of arrears from the non-gazetted officers?

THE HON. SRI R. VENKATARAMAN : There is no such proposal, Sir.

SRI M. SUBBIAH CHETTIAR : Is there any proposal to recover the arrears overdue for a long time from the salary paid to the non-gazetted officers?

THE HON. SRI R. VENKATARAMAN : The problem has not become acute that much. If it becomes, then we have to consider various remedies.

SRI M. RAJAH IYER : It was stated that the local body servants allowed arrears to accumulate. There had been arrears in respect of non-gazetted officers also. Why should a concession that was expressly given to the local body servants be withdrawn? Would that not be a reflection on the creditworthiness of those

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people? When there is a guarantee of the pay disbursing officer to recover the amounts and pay to the societies, why was this concession withdrawn in respect of these people alone?

THE HON. SRI R. VENKATARAMAN : Sir, in the case of the Government servants also, there were defaults. But in the case of the local body servants, there was an additional handicap, namely, there were cases of impersonation. Therefore, the concession was stopped.

SRI G. KRISHNAMOORTHY : Is it a fact that while the Government themselves have authorised the local bodies to grant this concession to their servants, the local bodies were reluctant to do so?

THE HON. SRI R. VENKATARAMAN : Sir, provided the local bodies agree to pay the money to the societies, the concessions may be extended on their own responsibility.

SRI M. RAJAH IYER : Has there been any representation from the local body servants that this concession should not be cancelled? Simply because there have been a few cases of impersonation, is it proper to punish the entire body of local body servants?

THE HON. SRI R. VENKATARAMAN : Sir, the first consideration is security for the money. We find that the security for the money in the case of local body servants is rather poor, Therefore, it was stopped.

SRI S. K. SAMBANDHAN : Will the Hon. Minister tell us whether they will extent the concession to the teachers if the managements of the aided institutions come forward to give the necessary security?

THE HON. SRI R. VENKATARAMAN : Sir, it is a hypothetical question. The situation must arise and then Government will examine.

DR. A. SREENIVASAN : How many cases of impersonation were there during the past one year?

THE HON. SRI R. VENKATARAMAN : A number of cases.

DR. A. SREENIVASAN : Will the Hon. Minister give us the number?

THE HON. SRI R. VENKATARAMAN : A separate question may be put. 5-10 p.m.

Distribution of electricity

* 179 *Q.*—SRI K. S. ABDUL WAHAB : Will the Hon. the Minister for Industries be pleased to state the names of private licensees and the local authorities who distribute electricity and the areas under their control?

THE HON. SRI R. VENKATARAMAN : A statement[a] is placed on the table of the House.

[a] Printed as Appendix I on pages 63-66.

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SRI K. S. ABDUL WAHAB : What steps do the Government propose to take to satisfy the public complaint of dissatisfaction against the management of the private licensee?

THE HON. SRI R. VENKATARAMAN : In July of this year, there will be discussion on the Electricity Board budget. This is a question which involves a statement of policy. Therefore, I will not be able to answer the question in an interpellation. This may be taken up when the budget of the State Electricity Board is taken up for discussion later on.

SRI M. SUBBIAH CHETTIAR : Sir, has there not been any complaint from the public that the private licensee is not doing the job pretty well?

THE HON. SRI R. VENKATARAMAN : Yes, Sir. There are a number of cases.

SRI K. S. ABDUL WAHAB : Sir, is there any proposal to nationalise some or all of the private electrical undertakings?

THE HON. SRI R. VENKATARAMAN : I cannot be persuaded to make a policy statement during the interpellation time.

Loans to unemployed goldsmiths

* 180 Q.—SRI M. SUBBIAH CHETTIAR : Will the Hon. the Minister for Industries be pleased to state—

(*a*) the amount, if any, allotted for the grant of loans to unemployed goldsmiths;

(*b*) the conditions under which the loans are granted; and

(*c*) the amount of loan disbursed to unemployed goldsmiths, till date?

THE HON. SRI R. VENKATARAMAN : (*a*) to (*c*) A statement[a] is placed on the table of the House.

SRI M. SUBBIAH CHETTIAR : From the statement placed on the table of the House, it is seen that nearly a sum of Rs. 30 lakhs has been allotted. But actually it is only Rs. 15 lakhs. May I know, Sir, how many applications have been sanctioned and how many are pending?

THE HON. SRI R. VENKATARAMAN : This relates to the period up to the end of the 9th February. Subsequently, we have allotted up to Rs. 30 lakhs. If a separate question is put, I will be able to give the break-up.

SRI M. SUBBIAH CHETTIAR : Sir, after the first year, the loans have to be repaid in fourteen half-yearly instalments. Will the Government allow the recovery of the amount to be made after three years, because the goldsmiths are suffering from great difficulties?

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[a] Printed as Appendix II on page 67.

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THE HON. SRI R. VENKATARAMAN : This goldsmiths are not now engaged in repayment. They are now engaged in getting loans, and when they put forth their difficulties when repayment starts, we will consider them.

SRI K. S. ABDUL WAHAB : Sir, it seems there is a proposal before the Government to assign some of the lands of the affected goldsmiths to the Harijans near Cuddalore. Will the Government interefere and safeguard the rights of the affected goldsmiths?

THE HON. SRI R. VENKATARAMAN : If a specific question is put, I will look into it.

SRI M. SUBBIAH CHETTIAR : Sir, is there any proposal to start small scale industries for the convenience of the goldsmiths?

THE HON. SRI R. VENKATARAMAN : Yes, Sir. The Government have got a proposal to start four industrial co-operatives in which the goldsmiths will be engaged in production not only of gold and silver articles but also a number of multi-metal articles.

DEPUTY CHAIRMAN : Questions are over.

[*Note*.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—CALLING ATTENTION TO THE COLLAPSE OF A HIGHER ELEMENTARY SCHOOL BUILDING IN MADURAI.

SRI G. KRISHNAMOORTHY : Mr. Deputy Chairman, Sir, I beg to call the attention of the Hon. the Chief Minister to a matter of urgent public importance, namely, the collapse of a higher elementary school building in Madurai, involving the loss of many young lives and causing severe injuries to many. The House is anxious to know in detail the steps taken by the Government to afford relief to the injured in this tragic accident.

THE HON. SRI R. VENKATARAMAN : Mr. Deputy Chairman, it is with deep regret that I rise to make the following statement.—

The Saraswathi Higher Elementary School in which the mishap occurred is a mixed school situated on the Rajah Mill Road, Madurai Municipality. The school was started in 1953 and it gradually developed into a very big institution with 3,700 students on its rolls and a staff of 99 teachers (91 women and 8 men).

The school is accommodated in 8 separate buildings. The building that met with the calamity consists of 2 wings with 3 floors each. It was put into use in 1956 with only the ground floor. The superstructure was built only last year. The building measures $71\frac{3}{4}$ feet by 40 feet by 31.3 feet in dimensions. The ground floor is built of lime and rock stones. The superstructure is built of lime mortar and bricks. This structure has

been constructed from the management funds. The average breadth of the wall of the structure is 10 inches. The Collector of Madurai has reported that several defects were noticed in the construction of the building. Very little cement appears to have been used, the construction being made of lime mortar and brick. This building accommodated 48 sections and the strength of the pupils that can be accommodated in this building is roughly calculated to be 1,200. One wing of this building has collapsed. It is learnt that the third floor of this wing came down at 11-45 a.m. on 4th April 1964 on the second floor which in turn collapsed and the inmates who were there at that time were caught under the debris. That was a holiday and only children attending the special classes were there at the time of the tragedy. The number that died is 35; 34 students and 1 meal carrier woman.

Within half an hour of this mishap, all officers and men of the town police, fire brigade, etc., were engaged in rescue operations. Besides them, great service was also rendered by the men of the T.V.S. organisations and the Harvey Mills. The District Superintendent of Police, Madurai (Urban), was in direct charge of the operations. The Divisional Inspector of Schools, Madurai and the District Educational Officer, Madurai, were also on the spot rendering necessary assistance.

Between 12 noon and 4 p.m. on 4th April 1964, 196 inmates of the school were rescued and sent to the hospital. Of them 35 were dead (34 students and 1 meal-carrier woman). Out of the rest, 130 were treated as in-patients in the hospital which included the Headmistress and 5 other teachers. Thrity-one were treated as out-patients. The dead bodies were handed over to the parents at 6 p.m. At the hospital, adequate arrangements were made for the nursing of the injured persons.

In order to afford adequate relief to the injured persons and to the parents of the bereaved, the Government have taken immediate action. Necessary instructions have been issued to the Dean, Erskine Hospital, Madurai, and others concerned that—

(i) the treatment of all children and adults injured in the accident must be completely free in the Government Erskine Hospital, Madurai;

(ii) in the case also of those children who were discharged on the 4th instant after treatment and who are re-admitted into the hospital for further examination and treatment, the treatment must be completely free;

(iii) in the case of all the injured children and adults who are treated either as in-patients or as out-patients, the administration of expensive drugs, injections, etc., should not be charged but should be free of cost;

(iv) The first X-ray as well as any subsequent X-rays taken of the injured must be free;

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(v) if any expensive medicines required for being administered on the injured are not available in the hospital, they should be purchased at the cost of the Government and no charges should be collected from the patients.

The Director of Public Instruction, who has visited the scene of the tragedy, has given an assurance to the parents of the school children who were injured that they need not have to sit for the annual examinations and that they would be promoted to the next higher class. The Revenue Divisional Officer, Madurai, has conducted a detailed enquiry into the incident. His report has just been received and is being examined. The Executive Engineer (Special Buildings Division), Madurai, has been asked to conduct an enquiry into the technical reasons for the collapse.

Action is also being taken by Government to get all the school buildings in the State inspected.

III.—GOVERNMENT BILL.

THE MADRAS BHOODAN YAGNA (AMENDMENT) BILL, 1964 (L.A. BILL NO. 10 OF 1964)

THE HON. SRI P. KAKKAN : Sir, I move—

"*That the Madras Bhoodan Yagna (Amendment) Bill,*[a] *1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be taken into consideration*". 5-20 p.m.

தலைவர் அவர்களே, 1964-ம் ஆண்டு தமிழ்நாடு "பூதான யக்ஞ" (திருத்த) மசோதாவை, ஆலோசனைக்கு எடுத்துக்கொள்ளுமாறு பணிவோடு கேட்டுக் கொள்கிறேன்.

ஸ்ரீ ஆச்சார்ய விநோபா பாவே அவர்கள், ஆரம்பித்து வைத்த மாபெரும் இயக்கமான பூதான யக்ஞத்தைப் பற்றி இந்த சபை நன்கு அறியும். பூதானத் திட்டத்தை அமுல் நடத்த 1958-ம் ஆண்டு தமிழ் நாடு பூதான யக்ஞ சட்டம் (1958-ம் ஆண்டு, சென்னை 15-வது சட்டம்) இந்த சபையில் நிறைவேறியதை இங்குள்ளவர்கள் அறிவார்கள். மேற்சொன்ன சட்டத்தை நிறைவேற்றுவதில் ஏற்பட்ட சில குறைகளையும், அனுபவத்தில் கண்ட கஷ்டங்களையும் நீக்குவதற்காக சில வகைகளில் திருத்தம் செய்ய வேண்டிய அவசியம் இப்போது ஏற்பட்டிருக்கிறது.

பூதான நிலங்களைப் பெற்றவர்கள், ஒன்று சேர்ந்து, கூட்டு முறையில் சாகுபடி செய்வதற்கான வசதியளிக்கப்படவில்லை. இந்த வசதி அவசியம் என்று கருதப்படுகிறது. இதற்காக, பூதான நிலங்களைப் பெற்றவர்கள் அங்கத்தினர்களாக இருக்கும் கூட்டுறவு சங்கங்களை உருவாக்கவும், அவற்றின் மூலம் கூட்டுச் சாகுபடி செய்யவும் வழி அமைக்க வேண்டியுள்ளது. எனவே, கூட்டுறவு சங்கங்களுக்கும், பூதான நிலங்களை அளிக்கும் அதிகாரம், மாநில போர்டுக்குத் தர உத்தேசிக்கப்பட்டுள்ளது.

[a] Printed as Appendix III on pages 68–72.

[Sri P. Kakkan] [22nd April 1964

இப்போதுள்ள சட்டத்தின் 2 (ன) பிரிவில், "கிராமதான ஊர்" எனபதற்குப் பொருள் வரையறுக்கப்பட்டுள்ளது. அதன்படி ஒரு சேர அமைந்துள்ள கிராமதான ஊர்கள் சிலவற்றை, 'அறிவிப்பு' (நோட்டிஃபிகேஷன்) செய்ய முடியவில்லை. ஏனெனில், அந்தக் கிராமங்களில் தானம் செய்யும் நபர்களின் எண்ணிக்கை, தானமாகப் பெறும் நிலங்களின் பரப்பு ஆனவை, முன்சொன்ன சட்டத்தின் பொருள் விளக்கத்துக்குப் பொருந்துவதாக இல்லாததால், இதற்கேற்ற முறையில், கிராமதான ஊர்" என்பதன் பொருள் விளக்கம் தக்க வகையில் திருத்தப்படும்.

கிராமதான ஊர்களில் பூதான யக்ஞத்துக்காக வழங்கப்பட்ட நிலங்கள் உள்ளன, அந்த நிலங்களில் நிலமில்லாத ஏழை ஜனங்களுக்கு இதுவரையில் கொடுக்காத நிலங்களை அந்த ஊரில் நிறுவப்பட்டுள்ள சர்வோதய பஞ்சாயத்துக்கு வழங்க வேண்டுமென்று தோன்றியது. அதற்கு ஏற்றபடி, சட்டத்தை திருத்தி, பூதான நிலங்களை கிராமதான ஊர்களில் உள்ள சர்வோதய பஞ்சாயத்துக்களுக்கு வழங்கும் அதிகாரத்தை மாநில போர்டுக்குத் தர உத்தேசிக்கப்பட்டுள்ளது.

இப்போதுள்ள சட்டப்படி, தானம் கொடுக்கப்பட்டுள்ள நிலங்களை அந்தந்த தாலுகா தாசில்தார் அல்லது உதவி தாசில்தார் விசாரணை செய்து காயம் செய்ய வேண்டியிருக்கிறது. இதில் ஏற்பட்டுள்ள ஒருசில குறைகளை நீக்க தற்போதுள்ள முறையை ஒரு சிறிது மாற்றி பின்வருமாறு அமைக்க உத்தேசிக்கப்பட்டுள்ளது. இப்போது கொண்டுவரப்பட்டுள்ள திருத்தங்களின்படி உறுதிமொழிகளை மாநில போர்டில் தாக்கல் செய்யவேண்டும். **செயின்ட் ஜார்ஜ் கோட்டை கெஜட்டில்,** நியமித்தல் முறையில் அவற்றை மாநில போர்டு, வெளியிடும். அதற்குப் பின்பு அந்த உறுதிமொழிகள், அந்தந்த விசாரணை அதிகாரிக்கு **Inquiry Officer**க்கு அனுப்பப்படும். குறிப்பிட்ட கால எல்லைக்குள், ஆட்சேபணைகள் எதுவும் வராவிட்டால். விசாரணை அதிகாரி, உறுதிமொழியை காயம் செய்வார். ஆட்சேபணை வரப்பெற்றால் அவற்றைக் கேட்ட பின்பு, உறுதிமொழியைக் காயம் செய்யலாம்; அல்லது செல்லுபடியாகாதென்று தள்ளியும் விடலாம். உறுதிமொழியைக் காயம் செய்யும்போது, விசாரணை அதிகாரியின் உத்தரவின் நகல் ஒன்று, அந்த விஷயத்தைப் பற்றிய நடவடிக்கை தஸ்தாவேஜுகளுடன், மாநில போர்டுக்கு அனுப்பப்பட வேண்டும். மாநில போர்டு, அந்த உத்தரவை **செயின்ட்** ஜார்ஜ் கோட்டை கெஜட்டில் வெளியிடும். பொது ஜனங்கள் தெரிந்துகொள்ள, காய உத்தரவின் நகல் ஒன்றை சம்பந்தப்பட்ட நிலப் பதிவு அதிகாரிக்கு (சப்-ரிஜிஸ்திரார்) மாநில போர்டு அனுப்பி அவ்வலுவலக தஸ்தாவேஜிகளில் பதிவு செய்ய ஏற்பாடு செய்யும். விசாரணை அதிகாரி எடுக்கும் நடவடிக்கைகள் பூர்த்தியாகாமல் இருக்கும் காலத்தில், பூதான யக்ஞத்துக்கென வழங்கப்பட்ட நிலங்களைச் சாகுபடி செய்வதற்கான ஏற்பாடுகளை மேற்கொள்ள, மாநில போர்டுக்கு அதிகாரம் வழங்கபபடுகிறது.

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இப்போதுள்ள சட்டப்படி, நிலங்களைத் தானம் செய்வது, அதைப்பற்றி உறுதிமொழி தருவது முதலிய தஸ்தாவேஜு களுக்கு, ஸ்டாம்பு கட்டணம் செலுத்துதல், வில்லங்க அத்தாட்சி Encumberance certificate) செலவுத் தொகை கட்டுதல் முதலிய வற்றிலிருந்து விதிவிலக்கு அளிக்கப்பட்டுள்ளது. சதிபத்தில், மதுரை மாவட்ட நீதிபதி District Judge of Madurai அளித்த எஸ். நம்பர் 115-62 என்ற தீர்ப்பில், 1882-ம் ஆண்டு சொத்துக்கள் மாற்றம் பற்றிய சட்டத்திலும் (Transfer of Property Act, 1882)) 1908-ம் ஆண்டு இந்தியப் பதிவுச் சட்டத்திலும் (இந்தியன் ரிஜிஸ்ட்ரேஷன் ஆக்ட், 1908) சால்லப் பட்டுள்ளதற்கேற்ப, நில தானங்கள் பற்றிய பத்திரங்கள் பதிவு செய்யப்படவில்லை என்ற காரணத்துக்காக, பூதான யக்ஞத்துக்கு வழங்கப்பட்ட நில தானங்கள் சில செல்லுபடியாகாமல் போய் விட்டன. எனவே, ஸ்டாம்பு கட்டணம் செலுத்துவதிலிருந்து மட்டுமின்றி, 'பதிவு செய்யவேண்டியது அவசியமே' என்பதில் இருந்தும், விதிவிலக்கு தந்து, சட்டத்தைத் திருத்த எண்ணி யுள்ளோம். சட்டப்படி பத்திரங்கள் பதிவு செய்யப்படாத காரணத்தால் செல்லுபடியாகாமல் போன உறுதிமொழிப் பத்திரங் கள், செல்லத்தக்கனவாகச் செய்யவும் உத்தேசிக்கப்பட்டுள்ளது. அதற்கேற்ற வகையில், சட்டத்தின் விதிமுறைகளைத் தக்க முறை யில் மாற்றி அமைக்க உத்தேசிக்கப்பட்டுள்ளது.

மசோதாவின் முக்கிய அம்சங்களை, சுருக்கமாக குறிப்பிட்டேன். இந்த மசோதாவின் "நோக்கங்கள், காரணங்கள் பற்றிய அறிக் கையில்" இதன் நோக்கத்தைப் பற்றி விரிவாகக் காணலாம். சட்டசபையில் நிறைவேற்றப்பட்ட இந்த மசோதாவை தற் பொழுது கொடுக்கப்பட்ட திருத்தங்களுடன் ஆலோசனைக்கு எடுத்துக் கொள்ளுமாறு கேட்டுக்கொள்கிறேன்.

MR. DEPUTY CHAIRMAN : Motion moved—

"That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be taken into consideration".

SRI V. K. RAMASWAMI MUDALIAR : Mr. Deputy Chairman, Sir, I move the following amendment—

"That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be referred to a Select Committee".

About the personnel of the Committee, I leave it to the Hon. Minister.

MR. DEPUTY SPEAKER : The motion and the amendment are before the House for discussion.

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SRI V. K. RAMASWAMY MUDALIAR: Sir, I find, after going through this Bill, that there are many discrepancies. The very fact that the Government have given a lot of amendments shows that the Bill was passed in haste and that it was not prepared properly. One important thing is that it clashes with the Central Act, this is, the Transfer of Property Act. Again, here an unscrupulous man can sell the land to whomsoever he likes and then he can say afterwards that he has donated the land. Like this there are so many other discrepancies also. Though I understand the urgency of the Bill, still I would request the Hon. Minister to agree to refer this Bill to a Select Committee. Even if the Government amendments are passed, they have to go to the Assembly once again. Therefore, my submission is that my proposal to refer the Bill to the Select Committee may be accepted.

SRI S. K. SAMBANDHAN: I second the amendment, Sir.

கனம் திரு. பி. கக்கன் : கனம் தலைவரவர்களே, இந்த மசோதா ஏற்கனவே கொண்டு வரப்பட்டிருக்க வேண்டியது. ஆனால் சில காரணங்களால், செய்ய வேண்டிய வேலைகள் எல்லாம் தாமதப் படுகிறது. நிலம் கொடுத்ததை எடுக்கிறதற்கு பிரயத்தனம் செய்து கொண்டிருக்கிறார்கள். ஏற்கனவே சட்டத்திலுள்ளதை நிறைவேற்றுவதற்காக இந்தத் திருத்தம் கொண்டு வரப்பட்டிருப்பதால், இதை செலக் கமிட்டியின் பரிசீலனைக்கு விடவேண்டியதில்லை என்று கேட்டுக் கொள்ளுகிறேன்.

DR. H. V. HANDE: MR. Deputy Chairman, Sir, the purpose of this amendment, as I see it, is to give the Bhoodan land to certain societies, the Sarvodaya panchayat and also certain co-operative societies. But I am a little surprised that this amendment has been brought in at all. Actually when Acharya Vinobha Bhave started this movement, his idea was to give the land to the landless poor. But by this amendment, by a stroke of the pen of the Government, the right of the poor is curtailed to a certain extent because the Government get the power to transfer his land to certain societies. What is the actual function of the societies I really wounder because as soon as this is transferred to the societies, the second problem crops up how the society is going to redistribute it, what is the agency which watches the proper redistribution, and why the Government should take upon themselves such wide powers as distributing this land to these societies. The very purpose for which Acharya Vinobha Bhave tried his utmost and worked in every nook and corner of India is completely lost by this amendment. Therefore, I request this House to reconsider this and decide that it should be given only to the landless poor who are in want.

There is another important point. Certain new officers, inquiry officers, are supposed to be put in. What exactly is the role of these officers and what is the rank of these officers? They are supposed to be directly answerable to the Bhoodan Board. But

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should we not take care to see that these officers are made answerable to the Collectors of the respective districts instead of straightaway to the Board? Then, what is the rank of these officers? Are we not giving wider powers to these officers? When there are already Deputy Tahsildars to look after this work, this is only duplication of work. These two points I wish to be clarified by the Hon. Minister.

SRI K. BALASUBRAMANYA AYYAR: MR. Deputy Chairman, Sir, I welcome this Bill. There is no objection to it. Giving the land to the Sarvodhaya Movement is a good thing. There is nothing wrong about it. The Sarvodhaya Panchayat will give it only to the landless poor. Because 'Sarvodhaya' is mentioned, it does not mean that the land will not be given to the landless poor persons. The Sarvodhaya Panchayat has been constituted for the purpose of helping the landless people. We are not going against the object of Acharya Vinobha Bhave.

But, unfortunately, various provisions are put in which are not clear. The Government themselves have given notice of amendments. There are also other difficulties. For the purpose of effectuating this Act, not for opposing it, for the purpose of seeing that Bhoodan takes a smooth effect on the landless people, this may be considered in detail. That is the point I wish to make.

* THE HON. SRI R. VENKATARAMAN: Mr. Deputy Chariman, Sir, the point raised by the hon. Member Sri V. K. Ramaswami Mudaliar that it clashes with the Transfer of Property Act has been thoroughly examined and I beg to submit that with the amendment proposed by the Government, there will be no clash at all. Actually in the Bill as it was originally introduced in the other House, one of the provisions in the corresponding Act has been overlooked and that has now been brought again as an amendment here. The only question that could be raised is that this seeks to override the law of Transfer of Property. But if the hon. Members will look at the original Act, they will find that under section 17 of the Act, there is a provision for an elaborate enquiry in which first the lands which are donated to the Bhoodan Yagna should be notified in the gazette, then objections called for and after the objections are heard, the question must be decided. Even after it is decided, under section 23, a person can at any stage file a civil suit to set aside the grant to bhoodan. But what we have now sought to do by this amendment is this. There are certain formalities such as registration and other things which have not been observed by the people who donated lands. The person donates the lands but then he refuses to sign the document, he refuses to go over to the Registrar's office and do the registration. These are all formalities which are required to be performed by persons who donate the lands. The donor says: 'I not merely give the lands, but I am also asked to

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go to the Registrar, this person and that. I am not prepared to undertake all those responsibilities'. Therefore, what we have said is, notwithstanding anything which the formalities which we have mentioned may require such as non-attestation, non-registration, etc., lands which have been confirmed by the officer will be notified and on such notification the transfer would be valid and final.

We have also provided for something more in this amendment. It is by way of abundant caution. It may be that a person after donating the lands to the bhoodan, can go and sell the very same lands to somebody else. Because this grant to bhoodan is not registered in the land registry, the purchased *bona fide* for value may get a better title than the Bhoodan Panchayat. Therefore, we have said that in cases where the enquiry has been made and an order has been passed, it is the duty of the officer concerned to send it to the Register and get it registered so that it may be a notice to all people.

I do not think there is any grave irregularity or serious conflict with the Transfer of Property Act. The measure is most wholesome and I would request the House to accept it.

MR. DEPUTY CHAIRMAN : Now, I put the amendment to the vote of the House. The question is—

"That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be referred to a Select Committee".

The amendment was put and lost.

MR. DEPUTY CHAIRMAN : The question is—

"That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as passed by the Assembly, be taken into consideration".

The motion was put and carried and the Bill was taken into consideration.

Clauses 2 and 3 were put and carried.

Clause 4.

MR. DEPUTY CHAIRMAN : The motion is—

"That clause 4 do stand part of the Bill".

THE HON. SRI P. KAKKAN : Mr. Deputy Chairman, Sir, I move the Government amendment to clause 4. It is a very long amendment and it might be taken as read.

THE HON. SRI R. VENKATARAMAN : I think it is better the hon. Members understand the significance of the amendment. Therefore, I will read the whole thing.

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THE HON. SRI P. KAKKAN : Mr. Deputy Chairman, Sir, I move—

" In clause 4, for items (v) and (vi), substitute the following items :—

' (v) for sub-section (5), the following sub-section shall be substituted, namely :—

" (5) (a) Where the Inquiry Officer passes an order under sub-section (4) confirming a declaration, he shall, as soon as may be, communicate the order along with the record of his proceedings to the State Board.

(b) As soon as may be after the receipt of the order referred to in clause (a), the State Board shall—

(i) publish such order in the *Fort St. George Gazette*, and

(ii) send a copy of such order duly authenticated by any officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908) within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such order :

Provided that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration.

(vi) for sub-section (6), the following sub-section shall be substituted, namely :—

" (6) Upon such registration, all the right, title and interest of the donor in such land shall, notwithstanding anything contained in any other law for the time being in force but subject to the provisions of section 23, stand transferred to, and vest in, the State Board for the purposes of the Bhoodan Yagna ". ' "

MR. DEPUTY CHAIRMAN : The question is—

" In clause 4, for items (iv) and (vi), substitute the following items :—

' (v) for sub-section (5), the following sub-section shall be substituted, namely—

(5) (a) Where the Inquiry Officer passes an order under sub-section (4) confirming a declaration, he shall, as soon as may be, communicate the order along with the record of his proceedings to the State Board.

(b) As soon as may be after the receipt of the order referred to in clause (a), the State Board shall—

(i) publish such order in the *Fort St. George Gazette* and

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(ii) send a copy of such order duly authenticated by any officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908) within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such order :

Provided that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration.

(vi) for sub-section (6), the following sub-section shall be substituted, namely—

" (6) Upon such registration, all the right, title and interest of the donor in such land shall, notwithstanding anything contained in any other law for the time being in force but subject to the provisions of section 23, stand transferred to, any vest in, the State Board for the purposes of the Bhoodan Yagna ". ' "

The amendment was put and carried.

Clause 4, as amended, was put and carried

Caluses 5 to 10 were put and carried.

Clause 11.

MR. DEPUTY CHAIRMAN : The motion is—

" That clause 11 do stand part of the Bill".

THE HON. SRI P. KAKKAN : Mr. Deputy Chairman, Sir, In clause 11,—

(*a*) in the opening paragraph and in sub-clause (*a*), after the words " under the principal Act ", *insert* the words " as in force immediately before the commencement of this Act " ;

(*b*) *add* the following provisos :—

" Provided that in the case of every order confirming a declaration under sub-section (4) of section 17 of the principal Act before the commencement of this Act, the State Board shall, within four months from the date of such commencement, send a copy of such order authenticated by an officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908), within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such orders :

Provided further that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration :

Provided also that notwithstanding anything contained in section 11 or sub-section (5) of section 17 of the principal Act, as in force immediately before the commencement of this Act,

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all the right, title and interest of the donor in such land shall stand transferred to and vest in the State Board or the Sarvodya Panchayat, as the case may be, only on registration of the copy of the order under the first proviso.

Explanation.—For the removal of doubts, it is hereby declared that if in any case the declaration or grant of any land donated under the principal Act has been registered under the Indian Registration Act, 1908 (Central Act XVI of 1908), before the commencement of this Act, the copy of the order confirming the declaration in respect of such land under sub-section (4) of section 17 of the principal Act shall not be deemed to require registration under this section."

MR. DEPUTY CHAIRMAN : The amendment is before the House for discussion. 5-40 p.m.

SRI K. BALASUBRAMANYA AYYAR : Sir, I have one difficulty here. I shall read out clause 11. It says—

"Notwithstanding anything contained in any judgment, decree or order of any court, no donation of any land for the Bhoodan Yagna or for Gramdan and no grant of any such land made or deemed to have been made under the principal Act shall be deemed to be invalid on the ground only that the donation or the law relating to transfer of property or registration . . ."

My first doubt is whether we should sweepingly say ' . . . any law relating to transfer of property . . .' Because there are so many disabilities under the law will all those disabilities be covered by this? Mere formalities like atttestation, etc., in the transfer of property can be imagined, but not fundamental sections dealing with the disabilities under the law of Transfer of property. These may also be brought under the purview of this clause. The Hon. Minister may say that under secton 17 of the original Bhoodan Yagna Act, the validity or invalidity would have been looked into. But there is one other difficulty that struck me. The clause says, ' Notwithstanding anything contained in any judgment decree or order of any court . . .' Suppose there is a fraudulent transfer of property and the judgment says that it is a fraudulent transfer. Is this also to be brought within the scope of the clause? It is all right so far as section 17 is concerned. But take the case of a judgment in which there has been an adjudication in regard to the transfer of property saying that it is a fraudulent transfer or fradulent preference. In this case, how will clause 11 apply? It is, as I said, all right in the case of section 17 of the Act but we are not dealing merely with section 17 but with all decrees, judgments, and orders. The transfer of property may not be invalid merely on the ground of formalities not being fulfilled, like attestation, etc. It will not be proper to say that all donations of land not make in accordance with the transfer of property Act shall not be invalid. It will be all right if we say that donation of land for Bhoodan shall not be

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invalid on the ground only that it has not been made after fulfilling the formalities under the Transfer of Property Act like attestation, etc. This is the point. But if a judgment says that the transfer is invalid on the ground that it is a fraudulent transfer and in fraud of creditors, that particular section will be affected. There are a number of sections in the Transfer of Property Act. The answer of the Hon. Minister is perfectly all right so far as section 17 of the principal Act is concerned. If there was anything which said that the formalities had not been fulfilled, it is all right. They would have enquired under section 17 whether the Bhoodan was perfectly all right, and whether it was not a fraudulent transfer or preference. If there was a fraudulent transfer, they would have rejected. They have got the power to do so. But in the case of a judgment which says that it is a fraudulent transfer, they cannot say that it is a valid transfer of property. That is the difficulty.

* THE HON. SRI R. VENKATARAMAN: Mr. Deputy Chairman, a number of donations of land made by several persons to the Bhoodan movement have been set aside and held invalid on the ground that there was no attestation, then there was no registration and also that the formalities relating to the Transfer of Property Act were not fulfilled. Taken as a whole, the clause only validates all those cases in which the transfer has not been made in accordance with the Transfer of Property Act, provided now we register it and then we publish it. Sir, it is possible to conceive of cases in which there might have been a judgment where a transfer or a grant or a gift in favour of Bhoodan might have been in fraud of creditors or might be vitiated by some other consideration. But in those cases, my submission is that, in the first place, they would have already been considered under section 17, because the moment a land is said to be given as a donation to Bhoodan, it is published in the gazette, and publication in the gazette is considered to be notice in respect of that land. After this, the second portion of section 23 will come into operation. Even now if a person files a civil suit saying that a particular land has been granted to Bhoodan, it is liable to be set aside on the ground of fraudulent declaration, one of the things which vitiate a contract. Then, Sir, the effect of section 23 is not taken away by this. Therefore, my submission is that we are now validating generally all those transfers which have been set aside. Then after validation . . . (Interruption by Sri K. Balasubramanya Ayyar). I am coming to that. If we had merely left it with the present clause 11, the hon. Member Sri Balasubramanya Ayyar's objection would be valid. But it must be read with the amendment to that clause, which says that it must now be published again. Then it is only on registration all previous transfers would be held to be proper transfers. My submission is that in this case a suit would still lie to say that this is a fraudulent transfer. In any event my submission is that if actually a particular judgment is there which says that a certain transfer of property is no transfer at all, then it is vitiated by any one of the conditions which vitiate

normally the transfer of property. The officer would not include it in Bhoodan, because under section 17, an enquiry has to be made. He would have conducted the enquiry, and he would have found that it was not property which could be included. He would have excluded that property . Any judgment in a stray case might possibly be conceived in which the property which has been transferred might not be held to be validly transferred. Section 23 will still apply, and therefore it will not be possible for the Bhoodan to register it under the new clause. This is my interpretation.

SRI K. BALASUBRAMANYA AYYAR: Sir, clause 11 should not compel an officer. That is my point. This clause will compel the officer to say, 'No, no; what can I do; there is the wording "no law relating to transfer of property"; therefore, I would not go into the question', That is the difficulty. It is all right for the Hon. Minister and others to be reasonable. But when this goes before the Enquiry Officer, all technical objections will be raised. This clause 11 will be put before him. He will say. This transfer is covered by clause 11, please don't talk". I do not want such a thing to happen. I am for Bhoodan. That is why I am saying all these. I am not obstructing the Bill. I am saying all these because I do not want there should be any difficulty for any Enquiry Officer. Why should we leave it to the civil court? Why not make it clear here itself? Let us be clear in clause 11. Let us say that other sections in the Transfer of Property Act will not apply and that only that section dealing with attestation, etc., will apply. It is better to say that here. Why should we take the risk? Somebody will abuse the legislation if we do not make it clear here itself. I am not here arguing against the Bill. I am only saying that the clause be properly worded so that no technical objection can be raised by any one later on.

THE HON. SRI R. VENKATARAMAN: Sir, there is the proviso which says—

"Provided also that notwithstanding anything contained in section 11 or sub-section (5) of section 17 of the principal Act, as in force immediately before the commencement of this Act, all the right, title and interest of the donor in such land shall stand transferred to and vest in the State Board or the Sarvodaya Panchayat, as the case may be, only on registration of the copy of the order under the first proviso."

A second registration would be required in those cases where there has been no previous registration. A second registration would be required at the time or registration. I, therefore, submit that it is open to the people to say that this cannot be registered for the reason that it is vitiated because of the judgment.

SRI K. BALASUBRAMANYA AYYAR: The Hon. Minister may go on arguing. But the land will not be cultivated.

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MR. DEPUTY CHAIRMAN : The question is—

In clause 11—

(*a*) in the opening paragraph and in sub-clause (*a*), after the words " under the principal Act ", *insert* the words " as in force immediately before the commencement of this Act";

(*b*) add the following provisos :—

" Provided that in the case of every order confirming a declaration under sub-section (4) of section 17 of the principal Act before the commencement of this Act, the State Board shall, within four months from the date of such commencement, send a copy of such order authenticated by an officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908) within the local limits of whose jurisdiction the land to which the order relates is situate and such registering officer shall register such orders :

Provided further that no fee shall be payable for such registration and it shall not be necessary for any officer of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration :

Provided also that notwithstanding anything contained in section 11 or sub-section (5) of section 17 of the principal Act, as in force immediately before the commencement of this Act, all the right, title and interest of the donor in such land shall stand transferred to and vest in the State Board or the Sarvodaya Panchayat, as the case may be, only on registration of the copy of the order under the first proviso.

Explanation.—For the removal of doubts, it is hereby declared that if in any case the declaration or grant of any land donated under the principal Act has been registered under the Indian Registration Act, 1908 (Central Act XVI of 1908) before the commencement of this Act, the copy of the order confirming the declaration in respect of such land under sub-section (4) of section 17 of the principal Act shall not be deemed to require registration under this section ".

The amendment was put and carried.

Clause 11, as amended, was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI P. KAKKAN : Sir, I move—

" That the Madras Bhoodan Yegna (Amendment) Bill, 1964. (L.A. Bill No. 10 of 1964), as amended, be passed."

MR. DEPUTY CHAIRMAN : The question is—

" That the Madras Bhoodan Yagna (Amendment) Bill, 1964 (L.A. Bill No. 10 of 1964), as amended, be passed."

The motion was put and carried and the Bill, as amended, was passed.

MR. DEPUTY CHAIRMAN : The House will now rise and meet again at 6 p.m. 5 50 p.m.

The House then adjourned.

(The House re-assembled at 6 p.m.)

(Deputy Chairman in the Chair.)

IV.—ELECTION OF CHAIRMAN

MR. DEPUTY CHAIRMAN : The next item on the Agenda to-day is the election of the Chairman under Article 182 of the Constitution of India. Nominations for this Office have already taken place.

Under rule 12 (4) of the Madras Legislative Council Rules, I have first to read out to the House the names of Members who have been duly nominated together with those of their proposers and seconders. They are :

Serial number and name of Candidates.	*Name of the proposer.*	*Name of the seconder.*
(1)	(2)	(3)
1. Sri M. A. Manickkavelu Naicker.	**Sri R. Venkataraman**	**Sri K. Rajaram.**
2. Sri M. A. Manickavelu Naicker.	**Sri N. R. Thyagarajan.**	**Sri A. Sambasiva Reddiar.**

As only one Member has been validly nominated for election. namely, Sri M. A. Manickavelu Naicker, I declare him duly elected as Chairman, Madras Legislative Council. (Cheers).

It only remains for me to tender to the Hon. Sri M. A. Manickavelu Naicker my sincere congratulations on his election and I call upon him to occupy the Chairman's Chair. When the Hon. the Chairman goes to occupy the Chair, I request all hon. Members to stand up and resume their seats only after the Chairman has taken his seat. After he takes his Chair, congratulatory speeches will be made. Now, I request the Leader of the House and the Leader of the Opposition to conduct Sri M. A. Manickavelu Naicker to the Chair.

(Then, the Hon. Sri M. A. Manickavelu Naicker was conducted to the Chair by the Hon. Sri R. Venkataraman and Dr. A. Lakshmanaswami Mudaliar and he occupied the Chair amidst cheers.)

V.—CONGRATULATORY SPEECHES ON THE ELECTION OF CHAIRMAN.

MR. CHAIRMAN : Now I call upon the Leader of the House to speak.

THE HON. SRI R. VENKATARAMAN : Mr. Chairman allow me to offer the felicitations of this House on your unanimous election as Chairman of this august body. You are no stranger

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to this House. In fact, you are the seniormost legislator in this House to-day. Having started your career in the Legislature as early as 1926; you have been a Member of the Legislature in the pre-Independence era and have also been a Member of the Legislature of Madras in the post-Independence period. You have also been a Member of the Rajya Sabha for the last two years and have gained vast and varied experience of the functioning of the legislatures in this country.

Your services to the State are too well-known to need a recount. As a Minister of this Government for ten years, you have rendered yeoman service to this State, and more than that, you have endeared yourself to the people of the State as well as to all the Members of the Legislature. Your high sense of humour will always stand you in good stead so that when difficult situations—which I hope will not arise at all in this House—if at all ever occur, you will be able to smoothen the situation with your usual wit and humour.

Sir, you are one of those who are very well versed in the procedures of Legislature. While others have studied the procedures of Lgislature, I must say you have grown with it. Your long experience in the several Legislatures of the country has given you a mastery over the procedures which, in my opinion, are very important in a democratic institution. Sometimes people are tempted to disregard procedures, holding them as obstruction. It is my humble view that unless the rules and regulations are strictly observed and unless the procedures are properly followed, intelligent debate will become impossible.

Sir, in the legislatures of our country we have a bicameral system, and in the bicameral legislature the Upper House or the Second Chamber, has certain functions and responsibilities. Though the Second Chamber functions under certain restrictions imposed under the Constitution, it has also certain responsibilities to see that the legislation as well as the administrative action gets a second examination before it is finalised. Even in the administration, as you are aware, there is always a second opinion taken in respect of various acts that we perform. Similarly, in enactments it is very necessary to have a second opinion of another body which will scrutinise the legislative enactments as well as the administrative acts of the Government. Therefore, this House has an important role to play and in the discharge of its responsibilities you; as the architect, will play an important role and see that the House is led in the proper way to discharge its onerous responsibilities.

Personally you are a friend of every one of us and that gives you a very great advantage. You have been one of us in every sense of the word—friendly and familiar—and you have always associated yourself with all the good causes in the State. Now it has been given to you to preside over a House which has set up very high traditions and which has in the years it has been in

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existence contributed a great deal to the efficient and effective functioning of democracy in our State. I may assure you, Sir, that as Chairman you will not have many difficult moments. You have in the Opposition a leader who can be said to be an ornament to any legislature in any part of the world. Speaking on the occasion when I made a reference to the retiring Members, I said and I cannot say anything better than that—" I will only make a small reference to our distinguished Leader of the Opposition, Dr. A. Lakshmanaswami Mudaliar. With his vast and varied experience not only of the Assemblies and Councils in our country, but also of the many International Organisations like the UNESCO and the WHO, Dr. Mudaliar brought to bear on the discussions in the House a maturity of wisdom and a persuasive manner which is inimitable by any one ". We shall stand as two pillars and sustain your integrity and your authority and we shall see to it that these two pillars are not brought down by even the mightiest Samson. (Cheers)

Sir, I wish you all the best and may I say that we look forward to a period of very fruitful co-operation with you where you 6–10 p.m. will be able to help, guide and assist us in the discharge of our responsibilities. Thank you. (Cheers.)

DR. A. LAKSHMANASWAMI MUDALIAR: Mr. Chairman, Sir, it gives me very great pleasure to associate myself with all the sentiments that the Hon. the Leader of the House has expressed. As he has correctly stated, Sir, you are not a stranger to this House. Even when after Independence this House was reconstituted, though you were not a Member of this house you were by no means a *rara avis*. In fact, Sir, I think you spent more of your time in this House than any other Minister who did not belong to this House.

Sir, your rare gift in managing many of those complex laws relating to Revenue and the experiences you have taught us in regard to the various persons connected with the revenue administration are still fresh in our minds.

Sir, you have had, as the Hon. the Leader of the House, said varied experiences as a parliamentarian. You were a member of the old Legislative Council, a member of the new Legislative Assembly of this State and the Rajya Sabha, not to mention of the opportunities to have had also to look into the Lok Sabha as a visitor. I can assure you, Sir, that this House does not yield to any one in the matter of maintaining the integrity and the purposefulness for which this House has been constituted. I can also assure, you Sir, that although you may have been accustomed to walk-outs in other chambers, one of the golden principles that we follow in this House is to stick to our seats and face opposition, instead of turning round and walking out. I can also assure you, Sir, that we will look upon you as a person who is independent of party affiliations since you have taken the Chair and I am sure you will conduct yourself in that manner.

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Sir, the time you are taking the Chairmanship of the Council is a time which is beset with many great difficulties for the world at large and for our own country. We are faced with many problems. On many occasions we may have to express our views in regard to certain subjects, not merely financial reports and the little problems of the State, but taking a wider view of the country as a whole being citizens of India give expression to our views fully, frankly and with purpose. I am sure you will support us in all such endeavours to reflect the mind of the people.

I may also assure you, Sir, that so far as this legislature is concerned, it will abside by every principle of the Constitution and by the letter of the rules framed and we will request you, therefore, in all your undertakings, if you look to the rules and apply them, you will have our hundred per cent support to such rules whether they may sometimes not be very much in our favour or may be in favour of the Treasury benches. We sit opposite to each other. But our purpose is not merely to oppose the Treasury Benches for the sake of opposition. When this party was formed in the year 1952 with the then Chief Minister, Sri Rajagopalachari, I ventured as the Leader of the Opposition to express the view that we shall focus the searchlight on all the activities of the Government and where there is room for us to agree, we shall not hesitate to agree but where there is room for us to disagree, we shall not either shirk and shake our hands because we are afraid of the powers that be. This Council has always held to that view (Cheers). I am grateful to all my colleagues on this side of the House for having supported that principle. We look forward to a very fruitful era of co-operation on that principle and we wish you all success in your noble endeavours. (Cheers.)

THE HON. SRI M. BHAKTAVATSALAM: Mr. Chairman, Sir, I am glad you have come back to us. You have been a quite pleasing and popular Minister. I have no doubt that you will be equally pleasant and popular as Chairman of this House. I offer you my warmest felicitations. (Cheers.)

திரு. ஓ. பி. ராமசாமி ரெட்டியார்: தலைவரவர்களே, எனக்கு முன் இந்த சபையின் லீடர் அவர்களும் எதிர்க் கட்சி லீடர் அவர்களும் பேசி இருக்கிறார்கள். எனக்கு ரொம்ப நாளாக உங்களைப் பார்க்கும் போதே நீங்கள் ஒரு சாந்த ஸ்வரூபி, பக்தியுள்ளவர், கண்ணியவான் என்று ஒரு எண்ணம். இந்த சபைக்கு நீங்கள் புதிதல்ல. இந்த அரசாங்கத்திலே ரெவின்யூ அமைச்சராக வேலை செய்து கொண்டு வந்திருக்கிறீர்கள். அதற்கு முன் ரொம்ப நாளாக, 1926-ம் ஆண்டிலிருந்து நீங்கள் அங்கம் வகித்திருக்கிறீர்கள். மத்திய அரசாங்கத்திலும் நீங்கள் சில காலம் தொண்டு செய்திருக்கிறீர்கள். இன்னும் செய்ய வேண்டுமென்ற முறையிலே நீங்கள் இங்கு வந்திருக்கிறீர்கள். நீங்கள் நல்ல முறையிலே இங்கே அதை நடத்துவீர்கள் என்பதில் சந்தேகமே இல்லை. எதிர்க் கட்சியாக யிருந்தாலும், அரசாங்க கட்சியாக இருந்தாலும் பட்சபாதமில்லாமல் தகுந்த முறையிலே நடத்த வேண்டுமென்ற

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எண்ணம் உடையவர்கள் என்பதை நான் அறிவேன். ஆகையினால் நல்ல முறையிலே இந்த சபையை நன்முக நடத்தி, இந்த சபையின் கௌரவத்தை நீங்கள் நன்முகக் காப்பாற்றுவீர்கள் என்பதில் சந்தேகமே இல்லை. உங்களை இந்த சபைக்குத் தலைவராக தேர்ந்தெடுத்ததைப்பற்றி நான் பாராட்டுகிறேன். கடவுள் அருளால் எல்லாம் செவ்வனே நடை பெறவேண்டுமென்று கடவுளைப் பிரார்த்தித்துக் கொண்டு உங்களைப் பாராட்டுகிறேன்.

Sri M. A. MUTHIAH CHETTIAR : Mr. Chairman, Sir, I am indeed very happy that the first opportunity that I have to speak in this House is to offer my felicitations to you on your unanimous election as the Chairman of this House. I should like to associate myself with the very happy sentiments expressed by the Hon. the Leader of the House, the Hon. the Chief Minister and the hon. the Leader of the Opposition and the hon. Member Sri O. P. Ramasami Reddiar, and to say that you are not a stranger to this House but you are one among us for many years in this kind of life.

I am in this connection reminded of the days when the question of the necessity of the Upper Houses was discussed very violently. I am glad that there are some here who took part in the deliberations of those days asking for the institution of the Upper House. I know you from about 1920. I know that you have always held a conservative view ever since I came to know you as a Member of this House in 1926.

Mr. CHAIRMAN : I am a liberal man.

Sri M. A. MUTHIAH CHETTIAR : When I say ' Conservative ' I mean the orthodox view. In politics orthodoxy is necessary occasionally. If this House is to be termed in any way, I should certainly say that this House has occasionally taken an orthodox view and rightly so. The orthodox view taken by this House on many occasions had been completely endorsed by the Lower House, where I have been a Member for 32 long years. There I had many opportunities to refer to the contribution made to the debates in this House by the Hon. Sri M. Bhaktavatsalam the then Leader of the House, Sri R. Venkataraman, the present Leader of the House and Dr. A. L. Mudaliar, the hon. Leader of the Opposition and also Sri K. Balasubramanya Ayyar and thanking them for their views expressed in this House and also for making the Government go back to the Lower House with further amendments. It was this to which the hon. the Leader of the House referred when congratulating you on your election, namely that a second review or a second thought—in modern language, ' second look ' they say in New Delhi—is necessary. From that orthodox point of view, we could not have found a better person than you with such vast experience to preside over this House, which is a reviewing House. It may be that there are certain occasions when it may not be possible to accept all the suggestions made by the Members who differ from the Government. But, 6-20 p.m.

at the same time, though the amendments moved by the Opposition may not be accepted, it certainly gives an opportunity to the Government to give further explanations and also to assure the House that in the working of the Bill or the particular proposition, they will take care to see that the complaints brought to the notice of the Government are borne in mind. To that extent, this Upper House plays a great part. So, it is very fitting that a person of your experience should have been chosen to preside over the destinies of this House, and we have no doubt that you will be able to conduct the proceedings of the House in such a manner as to enhance the prestige of the House.

Sir, I must thank you for giving me this opportunity to speak about the manner in which I should like to see this House function. I started by saying that you are a person of vast experience in administration and that you have completed ten years as Minister first in charge of Land Revenue and then in charge of Land Revenue and Health. The two portfolios are very important portfolios. Now the country must have known that for many years from 1900 onwards eminent civilians have been in charge of the Revenue portfolio. With your experience I hope you will be able to sympathise with the problems that may be mentioned by the Members of this House and allow the expression of viewpoints by the Opposition.

It only remains for me to say this, namely, that Madras played a leading part during the making of the Constitution to ask for the institution of the Upper House. Madras was one of the few Provinces where the Upper House was allowed to come into existence. Before 1937, all of us are aware that there was only one House in the Province. Staunch Congressmen who opposed the institution of Upper House are now asking for the Upper House and are pressing for the creation of the Upper House, Sir, the Upper House plays a very useful part. It is not necessary to term the Upper House as the House of Lords. There is no question of House of Lords in this country. In this country everybody is equal to every one else. With the present measures of taxation in this country, there is no question of any class at all in this country, as everybody will agree. Sir, there is one satisfaction for all of us who dominate, the Upper House. We dominate in the name of what? After the coming into existence of the Upper House in 1937, we had the Right Hon. V. S. S. Sastri and Sri C. Ramalinga Reddi in the Upper House as Members. They were two distinguished Members of the Upper House. Sri C. Rajagopalachari, who was the Chief Minister of Madras in 1937 used to feel that going into the Upper House was a very difficult matter for him. In the Lower House with about 165 members behind him, he would easily carry through the proceedings.

Sir, to our advantage we were really able to do something useful. As the Leader of the Opposition, I had the great satisfaction of relentless opopsition for $2\frac{1}{2}$ years. I used to thank Sir C. Ramalinga Reddi and the Right Hon. V. S. S. Sastri for the

way in which they debated the subjects in the Upper House. They were really functioning in a very useful way in the Upper House. Sir, your office of Chairman of the Legislative Council is as important as the office of the Speaker of the Lower House. With these few words, Sir, I wish to offer my felicitations to you.

One word more, Sir. Yesterday it was given to the Leader of the House to felicitate the new Members, and at the end of it, there was a suggestion that one of the new Members should express thanks. I was hoping that a senior Member of this House, namely, Sri O. P. Ramaswami Reddiar, former Chief Minister (who also thought of it), would express thanks. Since he has not done that with his permission, I am sure the new Members would expect me to offer our warmest thanks to the Leader of the House for the welcome that he has given us, and we shall assure him that we will deserve his welcome by taking a very intelligent part in the proceedings of this House. That is the only way in which we can repay his felicitations. I wish to offer our fullest co-operation to you, Sir, and to the Leader of the House in the deliberations of this House. I shall once again thank him on behalf of myself and the other new Members and I may also say, Sir, on behalf of you also, for the felicitations given to us. As Chairman, you are not permitted to give what you are permitted to give as a senior Member of this House. So, I am sure you would agree with me when I thank him on your behalf also for the very warm welcome he gave us yesterday. We shall tell him that we will give our best co-operation to him in the proceedings of this House.

திரு. கே. பாலசுப்ரமணிய ஐயர்: கனம் தலைவர் அவர்களே, தங்களுக்கு நல் வரவு கூறுகிறேன். அந்தக் கட்சியிலே மூன்று நான்கு பேர்கள் பேசிவிட்டார்களே, நமக்குக் குறைவாக இருக்கிறது போல் இருக்கிறது என்று இப்போதே நான் கருதிக் கொண்டிருந்தேன். அப்படி இல்லை என்று இப்போது தெம்பு எற்படுகிறது, என்னைப் பேசச் சொன்னதாலே ரொம்ப நாளாக 1952-லிருந்து தங்களுடன் பழகியது ஒரு கௌரவம். அதிலும் முக்கியமாக நிலச் சீர்திருத்தம் பற்றி தாங்கள் சொன்னதெல்லாம் எனக்கு ரொம்ப குறை (சிரிப்பு). பல சமயம் தங்களிடத்திலே அதை நான் தெரிவித்துக் கொண்டுதான் இருந்திருக்கிறேன். அதனால் ரொம்ப தொந்திரவு பண்ணக்கூடியவர் இவர் என்று கூட நீங்கள் நினைத்திருக்கலாம். ஆனால் அப்படி இல்லை. ஏனென்றால் உங்களுக்கே நான் சொல்லுகிறது ரொம்ப சரி என்று தோன்றி இருக்கும். அதைத்தான் தெரிவித்துக் கொள்ளுகிறேன். அதிலிருந்து நாங்களெல்லாம் இப்படிச் செய்கிறோம் என்றால், நீங்கள் மனதிலே இருக்கிறதை வெளியில் சொல்லாமல் கௌரவமாக நடந்து கொள்வீர்கள் என்று புரிகிறது. அது தான் வேண்டும் ஒரு பெரிய ஸ்தானத்தில் இருக்கப் பட்டவர்களுக்கு. ஏனென்றால் இதை எல்லாம் சொல்லிக் கொண்டே நீங்களே அதைச் செய்து கொண்டிருந்தால் நீங்கள் சேர்மனாக இருப்பது ரொம்ப கஷ்டமாக இருக்கும். அந்த ஸ்தானத்தில் வ்ந்த உடனே எல்லாவற்றையும்

[திரு. கே. பாலசுப்ரமணிய ஐயர்] [22nd April 1964

மறந்து விட்டு, அந்த ஸ்தானத்திற்குத் தகுந்தபடி எதையும் மனதில் வைக்காமல், ஒருவருக்கொருவர் பட்சபாதமில்லாமல் பார்ப்பதும் நன்ருக, கௌரவமாக நடத்திக் கொண்டு போவதும், இதை எல்லாம் உங்களுக்கு கூற நான் விரும்புகிறேன். அதிகம் தொந்திரவு பண்ணுகிற கூட்டமல்ல. மற்றவர்கள் பாய்கிருர்களே, அதைப் போல் பாய்கிறது, ஓடுகிறது, அந்த மாதிரி வேலேகளெல் லாம் செய்கிறதில்லே. ஏனென்ருல், வயதும் ஆகிவிட்டது, வலிவும் கிடையாது. அந்த மாதிரி செய்யக் கூடாதென்ற எண்ணத்திலே இருக்கிறவர்கள் . . .

MR. CHAIRMAN : ஆனுல் அதிகமாகப் பேசுகிறீர்கள்.

திரு. கே. பாலசுப்ரமணிய ஐயர் : அதனுலே எங்களுக்கு பயமோ, கஷ்டமோ இல்லே. நீங்கள் காங்கிரசுடன் சேருவதற்கு முன்னுல் Toilers' Party—உழவர்கள் கூட்டத்தில்—இருந்தீர்கள். அந்த சமயத்தில் . . .

MR. CHAIRMAN : Commonwealth Party.

திரு. கே. பாலசுப்ரமணிய ஐயர் : இரண்டு, மூன்று பெயர் சொல்லிக் கொண்டிருந்தார்கள். எனக்கு சந்தேகமாக இருந்தது. ஆனுல் கடைசியில் எல்லோரும் ஒன்ருகச் சேர்ந்துவிட்டார்கள். நீங்கள் ஆறு பேர் இருந்தீர்கள். நீங்கள் சேர்ந்ததால் ஆளும் கட்சிக்கு பலம் ஏற்பட்டது என்று அப்போது சொல்லிக் கொண் டிருந்தார்கள். அப்படி ஆளும் கட்சிக்கு பலம் கொடுத்தவர்கள் என்று நான் சந்தோஷப்படுகிறேன். ஆனுல் இனிமேல் அப்படி பலம் கொடுக்கக் கூடாது (சிரிப்பு). நான் எதற்காகச் சொல்லு கிறேன் என்ருல், எல்லோருக்கும் பலம் கொடுக்க வேண்டும். அது தான் உங்கள் வேலே. அதை நீங்கள் நன்ருகச் செய்வீர்கள் என் பது எனக்குத் தெரிகிறது. எனக்கு இருக்கிற சந்தோஷமெல்லாம் எவ்வளவு உங்களுக்கு வெறுப்பு இருந்தாலும், அதைக் காண்பிக் காமல் வேடிக்கையாகப் பேசுவீர்கள். அது ரொம்ப அவசியம். வேடிக்கையாக பதில் சொல்லி, அந்தப் போக்கிலேயே கோபமாகப் பேசுகிறவர்களுக்குக்கூட சாந்தம் வரும். அப்படி நல்ல முறை யில் நீங்கள் நடத்திக் கொண்டிருக்க வேண்டும்.

மேல் சட்ட சபை என்று சொன்னுர்கள். அப்படிச் சொல்லக் கூடாது. மேல் சட்ட சபை என்று மரியாதைக்காக சொல்லு கிருேம். Upper House என்று Constitution -ல் இல்லே. அதைத் 6-30 p.m. தெரிவித்துக் கொள்ளுகிறேன். Upper Lower என்றெல்லாம் பேசுகிறது மேலும் சண்டைக்குத்தான் காரணமாகும். ஆகவே இது இரண்டாவது சட்ட சபை. அங்கே இல்லாதவர்கள் சிலபேர் இங்கே சேருகிருர்கள். இந்தச் சட்ட சபை இருக்கலாமா என்று ஒரு ஆபத்து வந்து விட்டது. அதிலே பயந்து கொண்டுதானிருந் தோம் நாங்களெல்லாம், போக வேண்டியதுதானு, என்று. அப்போது தலேவராக இருந்த காமராஜ் அவர்கள் ஒன்று சொன்னுர். எனக்கு ரொம்ப திருப்தியாக இருந்தது. சொல்ல லாமோ, என்னவோ, அதைச் சொல்லிவிடுகிறேன். அப்போது

22nd April 1964] [திரு. கே. பாலசுப்ரமணிய ஐயர்]

சொன்னர், நாங்கள் இருக்கிறதா வேண்டாமா என்ருல், இருக்க வேண்டியது ரொம்ப அவசியம், பல பேர் தொந்திரவு பண்ணிஞல், இங்கே அவர்களை அனுப்பலாம் என்று சொன்னர். (சிரிப்பு). அது பெரிய உண்மை என்று என் மனதிலே பட்டது. அதைச் சொல்லலாமோ என்னவோ. அதிலிருந்து தான் நன்ருக நடக்கிறது நம்முடைய ராஜ்யம். அந்த மாதிரி வந்தவர்கள் நாங்களெல்லாம். எல்லாவற்றையும் நீங்கள் நன்ருகப் பார்த்து ரொம்ப நன்ருகச் செய்வீர்கள். சட்டத்திலே நீங்கள் பயின்றது ரொம்ப அவசியம். சேர்மனுக இருக்கிறவர்கள் சட்டத்திலே என்ன சொல்லுகிறது என்று கவனிக்காமல் இருக்கலாம். இருக்க முடியும். அது தப்பு என்று சொல்லுவதற்கு எனக்கு அதிகார மில்லை. அப்படி நீங்கள் இருக்க மாட்டீர்கள் என்று எனக்குத் தெரியும். நீங்கள் ஏற்கனவே சட்டம் பயின்றிருப்பது நல்ல காரியம். அதற்காக சட்டம் பயிலாதவர்கள் சேர்மனுக இருக்கக் கூடாதென்று நான் சொல்லுவதற்கில்லை. இருந்தாலும் சட்டம் தெரிந்திருக்கிறது ரொம்ப நலம். அதற்கு தகுதி உங்களுக்கு இருக்கிறது. ரொம்ப நாள் நீங்கள் நன்ருக இருந்து—ஆறு வருஷம் நிச்சயம்—ஆறு வருஷம் நன்ருக இருந்து இந்த சட்ட சபைக்கு கௌரவம் அளிப்பீர்கள் என்று நம்பி தங்களை மனப்பூர்வ மாக வாழ்த்துகிறேன்.

SRI V. K. RAMASWAMI MUDALIAR: Mr. Chairman, Sir, I hope you will maintain the dignity and uphold the best traditions set up by the distinguished Chairman like Vithalbhai Patel and Sir P. Rajagopalachari. You are a parliamentarian, with a rich experience and know the procedure well. I am sure you will conduct yourself very well and be a 'Manickam' in the Chair. I wish you well.

***டாக்டர் அ. சிதம்பரநாதன்:** தலைவரவர்களே, தங்களோடு பத்து ஆண்டுகளாகப் பழகும் வாய்ப்பு பெற்று இருக்கிறேன். அதிலும் சிறப்பாக இந்த அவையில் சென்ற ஆறு ஆண்டுகளாக இருந்து பழகக் கூடிய நல் வாய்ப்புப் பெற்றவர்களில் நானும் ஒருவன். தங்களுடைய அருங் குணங்களையும், சாமர்த்தியத்தை யும் மற்ற உறுப்பினர்கள் மெச்சுவதைப் போல் நானும் மெச்சிக் கொண்டிருந்ததுண்டு. தங்களிடம் ஒருபாற் கோடாமை—சமன் செய்து சீர்தூக்கும் கோல் போன்ற தன்மையிருக்கிறது. அது தாங்கள் இந்த அவையின் தலைவராக இருக்கும் நாட்களில் பெரிதும் பயன்படும் என்று உறுதியாக நம்புகிறேன். இங்கு தலைவராக வருபவர்களுக்குத் துணிவும் சிறந்த சாமர்த்தியமும், ஒருபாற் கோடாமை ஆகிய பண்புகள் நிறைந்திருக்க வேண்டும் என்று சொல்வார்கள். இவையெல்லாம் தங்களிடம் நிறைந்துள்ளன என்ற நம்பிக்கை எனக்கு உண்டு. இந்த அவையின் தலைவராகத் தேர்ந்தெடுக்கப்பட்ட இந்த நாளில் தங்களுடைய வழக்கமான இனிமை வாய்ந்த பண்புகளோடு, தாங்கள் நெடுநாள் இந்தத் தலைமைப் பதவியிலிருந்து, எங்களுக்கு நல்வழி காட்டுவீர்கள் என்ற உறுதியான நம்பிக்கை இருக்கிறது என்பதைத் தெரிவித்துக்

கொள்கிறேன். தங்களுடைய நெடுங்கால பார்லிமெண்டரி அனுபவமானது இதில் கட்டாயம் தங்களுக்குத் துணை நிற்கும் என்பதில் யாதொரு ஐயமும் இல்லை. ஏனென்றால், இரட்டை ஆட்சிக் காலத்திலும் பங்கு கொண்டு சரிவர, ஆட்சி நடத்திய சிறப்புமிக்க பெருமகனாரில் தாங்களும் ஒருவர். இந்தப் பகுதியில் உள்ள உறுப்பினர்களின் சார்பில் தங்களுக்கு இறைவன் அருளினால், நல்ல கடமையாற்றும் தன்மையும், நெடுநாள் அனுபவமும் இன்னும் மல்குவதாக என்று வாழ்த்துக் கூறுகிறேன்.

திரு. ஆர். வெங்கடாசலம்: மதிப்புக்குரிய தலைவரவர்களே, தாங்கள் இந்த அவையின் தலைவராக தேர்ந்தெடுக்கப்பட்டதை யொட்டி, இந்தச் சபையின் முதல்வரும், எதிர்க் கட்சித் தலைவரும், முதலமைச்சரும், மற்றுமுள்ள பல உறுப்பினர்களும் தங்களைப் பாராட்டி இருக்கிறார்கள். நானும் நான் சார்ந்திருக்கிற திராவிட முன்னேற்றக் கழகத்தின் சார்பில் இரண்டு ஒரு வார்த்தைகளைத் தங்களுக்குப் பாராட்டு கூறும் முகத்தான் கூற விரும்புகிறேன்.

தலைவரவர்களே, இந்த சபையின் முதல்வரும், எதிர்க் கட்சித் தலைவரும் தங்களைப் பாராட்டினார்கள். தாங்கள் இந்த சபையின் தலைவராக போட்டியின்றி, தேர்ந்தெடுக்கப்பட்டதன் மூலம் இந்தச் சபையில் தங்களுக்குள்ள அரும்பெரும் மதிப்பையும் உறுப்பினர்களுக்கு தங்களிடம் உள்ள நம்பிக்கைக்கு அது எடுத்துக்காட்டாக அமைந்திருக்கிறது. அதுவும், அறிவிலும், ஆற்றலிலும் மற்றும் அனுபவத்திலும் வயதிலும் இன்னும் எல்லா வகையிலும் சிறப்புப் பெற்ற தாங்கள் இந்தச் சபையின் தலைவராக தேர்ந்தெடுக்கப்பட்டதன் காரணமாக இந்தச் சபையின் நடவடிக்கைகளுக்கு தாங்கள் சிகரம் வைத்ததுபோல் இருக்கிறீர்கள். இந்த சபையில் தங்கள் சேவையின் மூலம் தமிழ் நாட்டு சட்ட மன்றங்களுக்கு இருக்கும் கௌரவத்தைப் பாதுகாக்கக் கூடிய முறையில் தாங்கள் நடந்து கொள்வீர்கள் என்ற நம்பிக்கையில் தங்களைப் பாராட்டி, இத்துடன் என் உரையை முடித்துக் கொள்ளுகிறேன். வணக்கம்.

திரு. கே. எஸ். அப்துல் வகாப்: மதிப்புக்குரிய தலைவரவர்களே, தாங்கள் இந்த மன்றத்தின் தலைவராக தேர்ந்தெடுக்கப்பட்டதைப் பாராட்டி, என் சார்பிலும் நான் சார்ந்திருக்கிற இந்திய யூனியன் முஸ்லீம் லீக் கட்சியின் சார்பிலும் வாழ்த்துத் தெரிவித்துக் கொள்ளுகிறேன். காங்கிரஸ் கட்சியின் சார்பில் தங்களை இந்த தலைமைப் பதவிக்கு ஒரு வேட்பாளாராக நியமிக்கப்பட்ட அன்றே இந்த சபைக்கு நீங்கள்தான் தலைவர் என்று உலகமே அறிந்துவிட்டது. ஆனாலும் இந்தத் தேர்தலில் எதிர்ப்பின்றி, ஏகமனதாக நீங்கள் தேர்ந்தெடுக்கப்படுவதை நேற்று மத்தியானம் வரைக்கும் தாங்களே அறிந்திருக்கமாட்டீர்கள். மூன்று பேர் சேர்ந்திருந்தால் ஒரு token contest எதிர்க் கட்சிக்காரர்கள் கொடுத்திருக்கலாம். அந்த வாய்ப்பு பலருக்கு இருந்தது. ஆனால் யாரும் அப்படிச் செய்ய முற்படவில்லை. அது இந்த மன்றத்தில் எதிர்க் கட்சியைச் சார்ந்தவர்களின் பெருந்தன்மையைக் காட்டுகிறது.

22nd April 1964] [திரு. கே. எஸ். அப்துல் வகாப்]

தங்கள் வருகையை எங்களின் அன்புக்கரம் நீட்டி வரவேற்கிறோம். அவர்களுடைய பெருந்தன்மையை அது எடுத்துக்காட்டுகிறது. அவர்கள் நீட்டும் அந்த அன்புக் கரத்தை தாங்களும் அது போன்றே அன்புடன் அரவணைத்துக் கொள்ள வேண்டும் என்று தங்களைக் கேட்டுக் கொள்ளுகிறேன்.

இந்தச் சட்டமன்றத்தில் நீங்கள் வகிக்கும் இந்த ஸ்தானத்தில் எத்த வகையில் இனிமேல் நடந்து கொள்ளுவீர்கள் என்று ஆராயும் போது மீன் குஞ்சுக்கு நீச்சல் பழகிக் கொடுக்க வேண்டுமோ என்று சொல்வார்கள். அது போன்று நீண்ட காலமாக பார்லிமெண்டு அரசியலில் பழகி இருக்கும் தங்களுக்கு சட்ட மன்ற நடப்புகள் மிகத் தெளிவாகத் தெரியும். மிகவும் திறமையுடனும், நல்ல அந்தஸ்துடனும் இந்த மன்றத்தின் மதிப்பையும் கௌரவத்தையும் உயர்த்தக் கூடிய நிலையில் காரியங்களை நடத்துவீர்கள் என்ற நம்பிக்கை எங்கள் எல்லோருக்கும் உண்டு. நமது தொழிலமைச்சர் அவர்கள் ஆரம்பத்திலேயே ஒன்று சொன்னார்கள். இந்த சட்ட மன்றத்திற்கு ஒரு உயர்ந்த பண்பாடு இருக்கிறது. " Very high tradition " என்று குறிப்பிட்டார்கள். அந்த tradition -ஐ இந்தச் சட்ட மன்றம் நீண்ட காலமாகக் காப்பாற்றி வந்துள்ளது என்றும் குறிப்பிட்டார்கள். அந்த tradition -ஐ மேலும் காப்பாற்ற வேண்டிய பெரும் பொறுப்பு தங்களைச் சார்ந்தது என்று சொல்லிக் கொள்ளுகிறேன். இதற்கு முன்பிருந்த தலைவர் அந்த tradition -க்கு எந்த வகையான இழுக்கும் ஏற்படாத வண்ணம் மிகத் திறமையாக காரியங்களை நடத்தி வந்திருக்கிறார்கள். அவர்கள் காங்கிரஸ் கட்சியைச் சேர்ந்தவராக இருந்தாலும் சபை நடவடிக்கைகளில் அவர் எந்தப் பக்கத்திற்கும் பாரபட்சம் காட்டாத முறையில் நடந்து பலருடைய போற்றுதலுக்குப் பாத்திரமானார்கள். அவர்கள் நல்ல பல பண்பாடுகளை ஏற்படுத்தியிருக்கிறார்கள். அந்தப் பண்பாடுகளில் நீங்களும் கவனம் செலுத்தி, அதைப் பின்பற்றினால் அது உங்கள் பொறுப்புகளை மிக வெற்றிகரமாக நிறைவேற்ற உதவிகரமாக இருக்கும்.

கடைசியாக முன்பிருந்த தலைவர் கடைசியாகப் பேசியபோது சொன்ன வாசகம் எனக்கு நினைவுக்கு வருகிறது. அன்றைய தேதியில் இந்த சட்டமன்றத்தில் 61 உறுப்பினர்கள் அங்கம் வகித்திருந்தார்கள். இந்த 61 உறுப்பினர்களும் ஒவ்வொருவரும் நெருங்கிய ஆத்ம நண்பர்களாகப் பழகினார்கள் என்று பெருமையாகச் சொன்னார்கள். அந்த முறையில் இந்த மன்றத்திலுள்ள எல்லா உறுப்பினர்களுடைய அபிமானமான நட்புகளைப் பெறக் கூடிய தகுதியை எல்லா தலைவரும் பெற்று விட முடியும் என்று சொல்ல முடியாது. ஆனால் பிரயத்தனப்பட்டால் பெற முடியும். அந்த முறையில் நீங்களும் பிரயத்தனப்பட்டு உங்கள் பணியை வெற்றிகரமாக முடிக்க வேண்டும் என்று கேட்டுக் கொண்டு, உங்களுடைய நல் வாழ்வுக்கும் உங்களுடைய வெற்றிகரமான பணிக்கும் என்னுடைய வாழ்த்தை தெரிவித்துக் கொள்ளுகிறேன்.

[22nd April 1964

6-40- p.m. MR. CHAIRMAN : Mr. Leader of the House, Mr. Leader of the Opposition, Mr. Deputy Chairman, Mr. Chief Minister and other Hon. Ministers, and Hon. Members, let me at the outset thank you very much for electing me unanimously to this high office of honour and responsibility. The Members have set and are successively setting a splendid example in the country by carrying out the tradition of electing the Presiding Officer of the House without a contest. It is as it ought to be because whatever may be the rivalries of political parties, you have in your wisdom thought that they have no place regarding this office of dignity and detachment from politics.

Hon. Members would have noted that I was literally dragged and thrust in the Chair by the two hon. leaders of different categories. This ceremony has an historical background and tradition I think it was in the days of Charles I of England that the Speaker of the Parliament went in person to the King, as it was customary then, to convey the proceedings of the Parliament. Unfortunately, they were derogatory and not to the liking of the King. Therefore, the King was angry at that and he promptly arrested the Speaker and put him in jail. That incident made the Parliamentarians shy at the Speakership and were unwilling to accept that office. So, the Members had to be induced and even forcibly dragged and conducted to the Chair. I am to-day the victim of that quaint and fascinating tradition.

As I sat on the Chair, a provoking thought flashed in my mind. I wondered why I who should be sitting at the present moment in the Rajya Sabha at Delhi am now before you here. The working of the mind is a remarkable piece of mental process and a quick and electric one at that. So, the answer to that immediately came in the words of Shakespeare :

"There's a divinity that shapes our ends, Rough-hew them how we will".

So, hon. Members will now understand the secret of my being with them here and now.

Now, I have a misgiving about my present role here. The other day you were pleased to shower encomiums and congratulations on my esteemed friend, Dr. Cherian, on the eve of his retirement from the Chairmanship. Therefore, it is a difficult and an unenviable job to succeed a strong, good, dignified and effective holder of an office in whatever walks of life it may be and especially so in the Legislature. So, if I were to succeed even to a smadl extent in my new career as the Presiding Officer, I shall require in abundance your goodwill, kindness, sympathetic co-operation, a spirit of give and take, and above all, your traditional wisdom. That would really make my task easy and smooth, and also redound to the credit of this progressive State of States and the glorious culture of Tamil Nad.

22nd April 1964] [Mr. Chairman]

The other day and also to-day the Leader of the House touched upon my autobiography and it requires a little dilation. It is true that I entered the Legislative Council in 1926 as one of the three elected members from the district of North Arcot when the whole district was a constituency. I was considered then to be the youngest Member when the Council was full of elderly men with whiskers and turbans and no fashionable lady members. I was just a budding lawyer then. But Law is a jealous mistress and I was not faithful to her, and she promptly divorced me as I was flirting with the pomp and glamour of the Ministerial set-up then. The Ministers then travelled luxuriously in railway saloons and as a Parliamentary Secretary which office was then like a Chota Minister, I travelled all over India—from Simla to Cape Comorin, from Calcutta to Rawalpindi, including Kashmir, and all the important places in the whole of India.

I contested in five general elections, succeeded in four and lost one, which means four-fifth of success, or it works out to 80 per cent success. It may be a first class or a distinction, but it is not a cent per cent success. I felt sorry then that I did not get cent per cent success. Now, keen cricketeers do know that their fans are not satisfied with even 98 or 99 runs but always hanker after a century. Similarly, I felt I should have had a cent per cent success. But I consoled myself when I found that even great and successful statesmen had had reverses in elections as in the case of Winston Churchill and, coming nearer home, Mr. Kumaraswami Raja and Mr. R. K. Shanmukham Chetty who was then the Speaker of the Lok Sabha.

My career from 1952 to 1962 is a comparatively modern one enacted before your immediate presence and you would have formed both favourable and unfavourable judgments, and you will hereafter also have ample opportunity of judging my present role. I would only earnestly request of you to give me your tolerance and sympathetic co-operation. That way lies the making or marring of my present career.

I remember the hon. the Leader of the Opposition, on the last occasion, I believe, referred to the functioning of the Chairman's eye. He said that the Chairman should have his eyes turned to the left also and not always to the right. Now I can assure the hon. the Leader of the Opposition that the present incumbent hasa also two eyes, quite sound and effective, in spite of the spectacles. Only I wish that I had the mythological third eye with which I could surcey the whole House. Now I assure the hon. the Leader of the Opposition that I will instruct both of my eyes to see that they are balanced and also quite effective in seeing to the right and to the left of the House.

Now it would not be news to the hon. the Leader of the Opposition that I also have two ears and they are quite sound and ear-worthy. They would enable me to hear everything that is going on in the House both to the good and to the dismay of certain

Members. Well, as in the case of the eve. I do not wish to have a third ear because even mythologically, a third ear has not been provided for as in the case of the eye.

Now, it only remains for me to thank the Hon. the Leader of the House for the very kind and affectionate sentiments he has expressed about me and then to thank the hon. the Leader of the Opposition, the Hon. the Chief Minister, my hon. Friend the Ex-Minister—that is the phrase usually used and, therefore, I may be excused for using it—Sri Balasubramanya Ayyar and some of the new friends and others. Only now my hon. Friend Sri Balasubramanya Ayyar has created an impression in me that he can do better, speaking in Tamil than in English. He was very eloquent and it was very effective. In the matter of this eulogy or sentiments expressed, I wish to take them under three categories, namely, (1) arising out of kindness, (2) arising out of convention and (3) arising out of a desire to say something of reality. So there is a mixture of all these in the sentiments expressed about me and I take it that most of them fall under the first two categories. Encomiums falling under the third category only may be due to me.

6-50 p.m. Now, I may also inform the House that I have become colourless and have shed my party affiliation. (Cheers) I am above all parties. I shall certainly maintain the impartiality of this House and the dignity of the House and hold the scales even. My hands have not become rickety and so they can hold the scales all right. (Laughter).

It is very pleasant to hear from all sections of this House that the best traditions of legislature are kept up in this House, there have been no unseemly incidents and there is a sort of give and take, what we call a *bonhomie* spirit prevailing in this House. I will try my very best to rise to the occasion and maintain the dignity and privileges of the House and in this I hope to get the sympathetic co-operation, goodwill and effection of the hon. Members of this House.

I wish you all a very pleasant holiday after your labours in the Budget session and this second meeting. We may meet again after two or three months. Till then I bid you adieu.

I once again thank you all for the very kind sentiments and good wishes expressed from all sections of this House.

The House will now adjourn *sine die*.

The House then adjourned *sine die*.

VI.—PAPERS LAID ON THE TABLE OF THE HOUSE.

* 225. *Half yearly report on the Administration of the Indian Boilers Act (V)* 1923 *in the State of Madras (from* 1*st April* 1963 *to* 30*th September* 1963).

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† 226. *Notification issued with G.O. Ms. No.* 994, *Industries, Labour and Co-operation, dated* 20th *February* 1964 *regarding appointment of Inspectors and authorities under the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act,* 1958 *in the added territories.*

† 227. *Notification issued with G.O. Ms. No.* 3246, *Home, dated* 14th *October* 1963, *regarding amendments to the Management of Special Homes and Work Homes in the State of Madras.*

‡ 228. *Notification issued with G.O. Ms. No.* 3666, *Food and Agriculture, dated* 19th *December* 1963 *regarding establishment of regulated markets at Punjai Puliampatti and Andhiyur in Coimbatore District.*

‡ 229. *Notification issued with G.O. Ms. No.* 865, *Industries, Labour and Co-operation (Labour), dated* 17th *February* 1964 *regarding issue of the Minimum Wages (Undisbursed Amounts) (Madras) Rules,* 1963.

‡ 230. *Notification issued with G.O. Ms. No.* 9, *Legislative Assembly, dated* 6th *March* 1964 *regarding amendment to the Madras Legislature Travelling Allowance Rules,* 1955.

‡ 231. *Notification issued with G.O. Ms. No.* 512, *Rural Development and Local Administration, dated* 6th *March* 1964 *regarding procedure for the election of Chairman of the Thiruvottiyur and Cuddalore Municipal Councils.*

‡ 232. *Notification issued by the Joint Collector, Coimbatore, Roc. No.* 53891/63-E4, *dated* 4th *January* 1964 *relating to removal of Sri P. Muthusamy Gounder from the Office of the Vice-President of the Pothipalayam Panchayat, Dharapuram Taluk, Coimbatore District.*

‡ 233. *Notification issued with G.O. Ms. No.* 324, *Home, dated* 4th *February* 1964 *regarding exemption from the payment of tax leviable under the Madras Motor Vehicles Taxation Act,* 1931, *motor car bearing registration number MSW* 9862 *belonging to the Trade Commissioner for France to South India on and from the date on which the vehicle was brought into this State.*

‡ 234. *Notification issued with G.O. Ms. No.* 121, *Food and Agriculture, dated* 17th *January* 1964 *regarding establishment of regulated markets at Lalgudi, Perambalur, Keeranur, Pudukkottai and Thottiam in the Tiruchirappalli District.*

235. *Notification issued with G.O. Ms. No.* 138, *Food and Agriculture, dated* 17th *January* 1964 *relating to market area and notified market areas to the markets at Aruppukottai and Singampuneri in Ramanathapuram District.*

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‡ 236. *Notification issued with G.O. Ms. No.* 260, *Home, dated* 29*th January* 1964 *regarding exemption from payment of tax leviable under the Madras Motor Vehicle Taxation Act*, 1931 *vehicle bearing registration number MDN* 5793 *belonging to the United Nations International Children's Emergency Fund and assigned to the District Medical Officer, The Nilgiris.*

‡ 237. *Notification issued with G.O. Ms. No.* 51, *Home, dated* 6*th January* 1964 *regarding amendments to the Madras Motor Vehicles (Taxation of Passengers and Goods) Rules*, 1953.

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* Kept in the Legislature Library for perusal by M.L.C's.

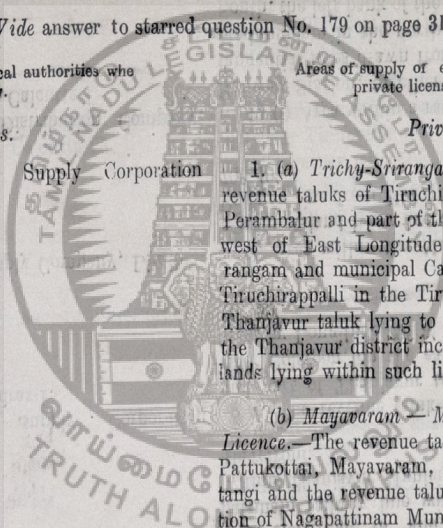
† Sent by post to all M.L.C's. on 10th April 1964.

‡ Laid on the table of the House on 21st April 1964.



Appendix I.

[*Vide* answer to starred question No. 179 on page 31.]



Names of private licensees and the local authorities who distribute electricity.	**Areas of supply of electricity under the control of the private licensees and the local authorities.**
Private Licensees.	*Private Licensees.*
1. The South Madras Electric Supply Corporation Limited, Tiruchirappalli.	1. (*a*) *Trichy-Srirangam Electric Licence.*—The entire revenue taluks of Tiruchirappalli, Lalgudi, Musiri, Kulitalai, Perambalur and part of the Udayarpalayam taluk lying to the west of East Longitude 79° 10′ muncipal limits of Srirangam and municipal Cantonment and Central Jail limits of Tiruchirappalli in the Tiruchirappalli district and part of the Thanjavur taluk lying to the west of East Longitude 79° in the Thanjavur district including all Government and Railway lands lying within such limits.
	(*b*) *Mayavaram — Mannargudi — Tiruvarur Electric Licence.*—The revenue taluks of Sirkali, Tiruthuraipoondi, Pattukottai, Mayavaram, Mannargudi, Nannilam and Arantangi and the revenue taluk of Nagapattinam with the exception of Nagapattinam Municipality and of a strip of land lying within 5 miles on either side of the Railway line from Nagapattinam westwards up to East Longitude 79° 40′ and part of the revenue taluk of Thanjavur lying to the east of

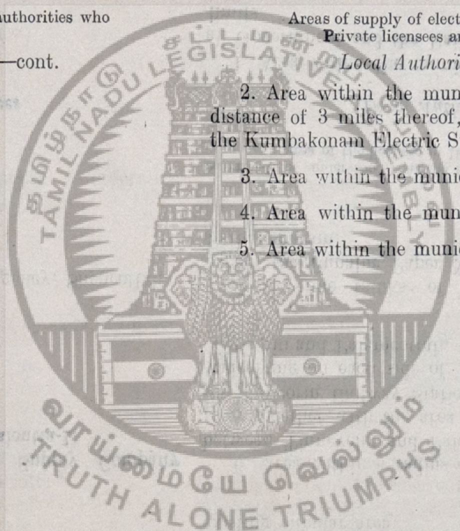
Names of private licensees and the local authorities who distribute electricity.	Areas of Supply of electricity under the control of the Private licensees and the local authorities.
Private Licensees—cont.	*Private Licensees*—cont.
	East Longitude 79° and south of the Tiruchirappalli-Nagapattinam railway line with the exception of the area lying within Thanjavur Municipality and a distance of three miles therefrom.
2. The Kumbakonam Electric Supply Corporation Limited, " Oriental Buildings ", Madras-1.	2. The revenue taluks of Papanasam and Kumbakonam and part of Thanjavur taluk bounded on the north by the river Coleroon, on the east by the Papanasam taluk, on the west by Longitude 79° 3′ and on the south by latitude 70° 50′. 10° 50′.
3. The Nagapattinam Electric Supply Company, Limited, " Oriental Buildings ", Madras-1.	3. Area within the Municipal limits of Nagapattinam and a strip of land lying five miles on either side of the Southern Railway line from Nagapattinam westwards up to Longitude 70° 40′.
4. The Salem-Erode Electricity Distribution Company, Limited, 14, Old Court House Street, Calcutta-1.	4. (i) Area within a radius of six miles of the Salem Town Railway Station, together with the area enclosed within two tangential lines drawn from this circular area to the village of Madungulam in the north and to the village of Molasi in the South, the left bank of the Cauvery river between these villages forming the western boundary;
	(ii) Area within the municipal limits of Erode.

5. The Vellore Electric Corporation Limited, 20, Second Line Beach, Madras.	5. Area within a radius of six miles of the licensee's Power House site at Vellore and the area comprised within two parallel lines 12 miles apart extending 18 miles eastwards from a vertical line drawn north and south through the site of the existing power station and drawn tangential to the existing circular area.
6. The Tinnevelly–Tuticorin Electric Supply Company Limited, 14, Old Court House Street, Calcutta-1.	6. Area within a radius of five miles of the road bridge between Tinnevelly and Palamcottah over the Tambaraparni river together with the area within a radius of five miles on the Tuticorin Railway Station, and a strip of land five miles wide lying on each side of the transmission line between Tuticorin and Palamcottah.
7. The Shencottah Electric Supply Agency, Shencottah.	7. Revenue taluks of Shencottah and Pathanapuram except the Punalur Paper Mill area in the revenue taluk of Pathanapuram.

Note.—It is understood that the Punalur area ceased to be part of the area of the licensee in 1951.

Local Authority Licensees.	*Local Authority Licensees.*
1. Municipal Council, Madurai.	1. Area within the municipal limits of Madurai including all Government and the Railway lands lying within such limits.

Name of private liceses and the local authorities who distribute electricity.	Areas of supply of electricity under the control of the Private licensees and the local authorities.
Local Authority Licensees—cont.	*Local Authority Licensees*—cont.
2. Municipal Council, Thanjavur.	2. Area within the municipal limits of Thanjavur and a distance of 3 miles thereof, excluding the area of supply of the Kumbakonam Electric Supply Corporation Limited.
3. Municipal Council, Karur.	3. Area within the municipal limits of Karur.
4. Municipal Council, Coimbatore.	4. Area within the municipal limits of Coimbatore.
5. Municipal Council, Pollachi.	5. Area within the municipal limits of Pollachi.



APPENDIX II.

[*Vide* answer to starred question No. 180 on page 32.]

Clause (*a*) An allotment of Rs. 30·06 lakhs has so far been made for the grant of loans to goldsmiths affected by the Gold Control Rules under the following two schemes :—

(i) Scheme for the sanction of loans up to Rs. 2,000 under the State Aid to Industries Act to goldsmiths for setting up small industries; and

(ii) Special Scheme for the disbursement of a loan up to Rs. 2,000 to one member in a family of displaced goldsmiths to set up petty trade.

Clause (*b*).—Loans to displaced goldsmiths under the State Aid to Industries Act are granted for starting even common place and processing industries in relaxation of the general policy of granting such loans only for such of those industries as produce essential consumer goods and other articles or ancillary parts to feed larger industries that are in short supply. The loans are disbursed in accordance with the rules framed under the Act. The loan is granted on personal surety. An application fee of Rs. 20 is charged. The rate of interest is 3 per cent.

The applicants for loans under the Special Scheme should have been residents of this State for a period of at least two years as on 1st January 1963. Only one person in a family of displaced goldsmith will be eligible for the loan under the scheme. Families of displaced goldsmiths which have availed themselves of the loan assistance to goldsmiths under the State Aid to Industries Act will not be eligible for loans under this Scheme. The loan will be disbursed in 2 suitable instalments spread over a period of six months, and will bear interest at the rate of 4 per cent per annum. The first instalment will be disbursed immediately after the loan is sanctioned and the second instalment will be disbursed by the competent authority on his satisfying himself that the first instalment has been utilized for the purpose for which the loan was sanctioned. The entire loan will be recovered in 14 half-yearly instalments commencing one year after the date of disbursement of the second instalment of the loan. The loan will be sanctioned on the personal security of the applicant and on the production of a certificate from an Officer of the Revenue Department not below the rank of a Tahsildar to the effect that the applicant is a displaced goldsmith and that he has no alternative means of employment and after obtaining a bond from the applicant in the prescribed form. The bond will be free from stamp duty and registration fees. The loanees under the Scheme shall bind themselves to be subject to the provisions of the Revenue Recovery Act for the recovery o the loan amount due from them.

Clause (*c*).—Amount disbursed up to 29th February 1964—

Rs. 4,65,650 under the State Aid to Industries Act.

Rs. 10,33,368 under the Special Scheme.

APPENDIX III.

[*Vide* Item III on page 35.]

L.A. Bill No. 10 of 1964 (As passed by the Assembly).

A Bill to amend the Madras Bhoodan Yagna Act, 1958.

BE it enacted by the Legislature of the State of Madras in the Fifteenth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Madras Bhoodan Yagna (Amendment) Act, 1964.

2. *Amendment of section* 2, *Madras Act XV of* 1958.—In section 2 of the Madras Bhoodan Yagna Act, 1958 (Madras Act XV of 1958) hereinafter referred to as the principal Act),—

(i) in clause (a), for the words " landless poor persons or for community purposes ", the words " landless poor persons, co-operative societies of Sarvodaya Panchayats or for community purposes " shall be substituted;

(ii) for clauses (d) and (e), the following clauses shall be substituted, namely :—

" (*d*) ' Gramdan land ' means land donated for Gramdan in a Gramdan village and includes any land in such village donated for the Bhoodan Yagna and granted under sub-section (1) of section 19 to the Sarvodaya Panchayat constituted for that village;

(*e*) ' Gramdan village ' means any revenue village or villages or part or parts thereof in which—

(i) not less than two-thirds of the number of persons residing and owning lands donate all their lands for Gramdan, or

(ii) not less than one-half of the total extent of the lands owned by persons residing in such village or villages or part or parts is donated by persons residing and owning lands therein donating all their lands for Gramdan,

and which the Government may, by notification, declare to be a Gramdan village ";

(iii) after clause (*e*), the following clause shall be inserted, namely :—

" (*ee*) ' Inquiry Officer ' means the Tahsildar or the Deputy Tahsildar in independent charge, having jurisdiction in the taluk or sub-taluk where lands donated for the Bhoodan Yagna are situate or such officer as the District Collector may, by notification, appoint for such village or villages where lands donated for the Bhoodan Yagna are situate, as may be specified in the notification;

3. *Amendment of section* 16, *Madras Act XV of* 1958.—For sub-section (3) of section 16 of the principal Act, the following sub-section shall be substituted, namely :—

"(3) Every declaration made under sub-section (1) shall be filed with the State Board.".

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4. *Amendment of section* 17, *Madras Act XV of* 1958.—In section 17 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely :—

" (1) The State Board shall, as soon as may be, after the filing of every declaration under sub-section (3) of section 16, publish the declaration in the *Fort St. George Gazette* and in such other manner as may be prescribed and forward the declaration to the Inquiry Officer concerned.";

(ii) in sub-section (2), for the words " Tahsildar or the Deputy Tahsildar in independent charge, having jurisdiction in the taluk or sub-taluk where the land is situate ", the words " Inquiry Officer ' shall be substituted ;

(iii) in sub-section (3), for the words " Tahsildar or the Deputy Tahsildar, as the case may be ", the words " Inquiry Officer " shall be substituted;

(iv) in sub-section (4),—

(*a*) for the words " Tahsildar or the Deputy Tahsildar, as the case may be ", the words " Inquiry Officer " shall be substituted;

(*b*) the following sentence shall be added at the end, namely :—

" Where there is no objection, the Inquiry Officer, after making such inquiry as he deems fit, shall, as soon as may be, by order, confirm the declaration or declare it null and void.";

(v) in sub-section (5), for the words " Tahsildar or the Deputy Tahsildar ", the words " Inquiry Officer " shall be substituted;

(vi) for sub-section (6), the following sub-section shall be substituted, namely :—

" (6) Where the Inquiry Officer passes an order under sub-section (4) confirming a declaration, he shall, as soon as may, be, communicate the order along with the record of his proceedings to the State Board, who shall thereupon publish the order of the Inquiry Officer in the *Fort St. George Gazette* and on such publication, the donation of land shall, subject to the provisions of section 23, be irrecoverable.";

(vii) for sub-section (7), the following sub-section shall be substituted, namely :—

" (7) Where the Inquiry Officer passes an order under sub-section (4) declaring the declaration null and void, he shall, as soon as may be, communicate a copy of such order to the State Board. On the passing of such order, the donation shall stand cancelled and the donar shall be deemed to continue to have all his right, title and interest in such land as if he had not made any declaration under sub-section (1) of section 16.";

(viii) after sub-section (8), the following sub-section shall be added, namely :—

" (9) Pending the completion of the proceedings under this section, the State Board may, subject to such terms and conditions as may be agreed upon between the donor and the State Board arrange for the cultivation of the lands donated for the Bhoodan Yagna under sub-section (1) of section 16 as it thinks fit ".

5. *Amendment of section* 18, *Madras Act XV of* 1958.—In section 18 of the principal Act, for the words " may apply to the Tahsildar or the Deputy Tahsildar, in independent charge, as the case may be, having jurisdiction, for possession and the Tahsildar or the Deputy Tahsildar, may ", the words " may apply to the Inquiry Officer for possession and the Inquiry Officer may " shall be substituted.

6. *Amendment of section* 19, *Madras Act XV of* 1958.—In section 19 of the principal Act,—

(i) in sub-section (1), after the words " for community purposes ", the words " or to a co-operative society or Sarvodaya Panchayat " shall be inserted ;

(ii) after subsection (1), the following sub-section shall be inserted, namely :—

" (1-A) Where any land vested in the State Board and situated in a Gramdan village is granted to the Sarvodaya Panchayat constituted for that Gramdan village, such land shall be deemed, for all purposes of this Act, to be a Gramdan land vested in the Sarvodaya Panchayat and shall thereupon be dealt with accordingly; and in respect of any land so vested in the Sarvodaya Panchayat, the State Board shall not have any rights or be subject to any obligations under this Act ".

7. *Amendment to section* 20, *Madras Act XV of* 1958.—In section 20 of the principal Act, in the proviso to sub-section (3), for the words " Tahsildar or the Deputy Tahsildar " the words " Inquiry Officer " shall be substituted.

8. *Amendment of section* 23, *Madras Act XV of* 1958.—In section 23 of the principal Act—

(i) for the words " Tahsildar or the Deputy Tahsildar ", wherever they occur, the words " Inquiry Officer " shall be substituted.

(ii) the words " as the case may be " shall be omitted.

9. *Substitution of new section for section* 24, *Madras Act XV of* 1958.—For section 24 of the principal Act, the following section shall be substituted, namely :—

" 24. *Exemption from registration and stamp duty.*—Notwithstanding anything contained in any other law, every declaration and every grant of land made or deemed to have been made

under this Act shall be and be deemed always to have been exempt from registration and payment of stamp duty and of encumbrance certificate fee ".

10. *Amendment of section* 28, *Madras Act XV of* 1958.—In section 28 of the principal Act—

(i) in sub-section (1), the words " by notification " shall be omitted;

(ii) in clause (*b*) of sub-section (2), the words " co-operative societies or Sarvodaya Panchayats " shall be added at the end;

(iii) for sub-section (3), the following sub-sections shall be substituted, namely :—

" (3) All rules made under this Act shall be published in the *Fort St. George Gazette*, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(4) Every rule, order or notification made or issued by the Government under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule, order or notification or both Houses agree that the rule, order or notification should not be made or issued, the rule, order or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule, order or notification ".

11. *Validation of donation and grant of land.*—Notwithstanding anything contained in any judgment, decree or order of any court, no donation of any land for the Bhoodan Yagna or for Gramdan and no grant of any such land made or deemed to have been made under the principal Act shall be deemed to be invalid on the ground only that the donation or the grant of land as aforesaid was not made in accordance with any law relating to transfer of property or registration, and any such donation or grant of land shall, for all purposes, be deemed to be and to have always been validly made and accordingly—

(*a*) all acts, proceedings or things done or taken by the Madras State Bhoodan Yagna Board or the Sarvodaya Panchayat or by any other authority or officer or person under the principal Act in relation to lands donated for the Bhoodan Yagna or for Gramdan or the grant of lands by the said Board or the management of Gramdan lands by the said Panchayat shall for all purposes be deemed to be and to have been always been done or taken in accordance with law.

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(*b*) no suit or other proceeding shall be maintained or continued in any court for the declaration of title to, or the recovery of possession of, any land donated for the Bhoodan Yagna or for Gramdan on the ground that the donation was not made in accordance with the law relating to transfer of property or registration.

(*c*) no court shall enforce any decree or order declaring any donation of land for the Bhoodan Yagna or for Gramdan to be invalid or directing the recovery of possession of any such land by the person who donated it or any other person claiming under him, on the ground referred to in clause (*b*).



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